



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, August 19, 2021 – 7:00 PM

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

NOTICE OF REMOTE ACCESS ONLY:

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

To watch:

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

To participate remotely and make public comment:

1. Send email:
 - a. Prior to the meeting day, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Tuesday before the meeting and they will be distributed to agenda recipients.
 - b. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - Identify the item you wish to comment on in your email's subject line. Emailed comments will be accepted during the Public Comments meeting item.
 - Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
 - Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
 - Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.
2. Zoom Meeting (Via Computer or Phone)
 - a. Please click the link below to join the meeting:
 - <https://us02web.zoom.us/j/85343644060?pwd=K1lrN1UyNXFIUGQ2WWNCMkdBWmtkdz09> (link is external)
 - If prompted for a password, enter 870549
 - Use participant option to "raise hand" during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak
 - b. Dial in with phone:
 - Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one
 - **1 669 900 6833**

- **1 408 638 0968**
- **1 346 248 7799**
- **1 253 215 8782**
- **1 301 715 8592**
- **1 312 626 6799**
- **1 646 876 9923**
- Enter the meeting ID number: **853 4364 4060**
- When prompted for a Participant ID, press #
- Press *6 on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 3 minutes.

REGULAR MEETING OF THE PLANNING COMMISSION – 7 PM

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

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Jul 15, 2021 7:00 PM

4. CONSENT CALENDAR

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

A. Ordinance amending Capitola Zoning Code/LCP IP Section 17.96.170 Temporary Outdoor Dining

Request to Continue Ordinance Amending the Capitola Zoning Code/Local Coastal Program Implementation Plan Section 17.96.170 for Temporary Outdoor Dining.

B. 523 Oak Drive #21-0032 APN: 035-082-03

Design Permit for first- and second-story additions to an existing nonconforming single-family residence located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Owner: James & Andrea Habing

Representative: Dennis Norton, Filed: 02.02.2021

C. 106 Sacramento Avenue #21-0259 APN: 036-143-09

Accessory Dwelling Unit Permit for a new 1,183-square-foot two-story Accessory Dwelling Unit (ADU) for a single-family residence located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Michael & Meghan Morrissey

Representative: Danielle Grenier, Filed: 06.03.2021

D. 1485 47th Avenue #21-0295 APN: 034-034-10

Design Permit for demolition of an existing nonconforming single-family residence and construction of a new single-family residence located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Smitty & Tambi Harwood

Representative: John Hofacre, Filed: 06.29.2021

5. PUBLIC HEARINGS

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

A. 208 Magellan Street #21-0057 APN: 036-194-04

Design Permit for a second-story addition to a nonconforming single-family residence with a Minor Modification for a reduced second-story side setback located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Kent & Julie Cramer

Representative: Daryl Woods, Filed: 02.16.2021

B. 1855 41st Avenue #21-0320 APN: 034-261-07, -37, -38, -40, & -52

Six Month Review of Conditional Use Permit #21-0023 for Mobile Food Vendors located at 1855 41st Avenue at the Capitola Mall 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: Merlone Geier Management, LLC

Representative: Brian Kirk, Merlone Geier Management, LLC, Filed: 7/19/2021

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

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review 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.



FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
Thursday, July 15, 2021
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Routh called the meeting to order at 7 P.M. Commissioners Christiansen, Newman, Westman, Wilk and Chair Routh were present remotely.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Community Development Director Herlihy stated item 4A is continued to the September 2, 2021, hearing.

B. Public Comments

C. Commission Comments

D. Staff Comments

Community Development Director Herlihy announced Associate Planner Matt Orbach's acceptance of a new position at another city. She expressed her gratitude to Associate Planner Orbach's service to the City of Capitola.

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - May 6, 2021 7:00 PM

MOTION: Approve the minutes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Susan Westman
SECONDER:	Peter Wilk
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

B. Planning Commission - Regular Meeting - Jun 3, 2021 7:00 PM

MOTION: Approve the minutes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Newman
SECONDER:	Peter Wilk
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

4. CONSENT CALENDAR

A. Tree Removal in Cherry Avenue Right-of-Way #21-0167

Tree Removal Application for the removal of one date palm tree located within the MU-V (Mixed-Use Village) zoning district. The date palm is located adjacent to 102 Cherry Avenue at the East end of Cherry Avenue between Cherry Avenue and Monterey Avenue.

Note: Request to Continue to September 2, 2021.

Minutes Acceptance: Minutes of Jul 15, 2021 7:00 PM (Approval of Minutes)

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

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola

Representative: Pacific Gas & Electric, Filed: 06.22.21

MOTION: Continue the item to September 2, 2021.

RESULT:	APPROVED [4 TO 0]
MOVER:	Susan Westman
SECONDER:	Courtney Christiansen
AYES:	Courtney Christiansen, Mick Routh, Susan Westman, Peter Wilk
ABSTAIN:	Ed Newman

B. 4855 Topaz Street #19-0288 APN: 034-065-21

Design Permit for a new attached garage on an existing nonconforming single-family residence and a new attached Accessory Dwelling Unit (approved ministerially) located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Randall and Allison Epperson

Representative: Scott Hicks, Filed: 06.14.2019

Associate Planner Matt Orbach presented the staff report.

Chair Routh questioned whether the proposed ADU parking space would be functional.

Associate Planner Orbach stated the space met the parking requirements for a limited standards ADU.

MOTION: Approve the design permit with the following conditions and findings.

CONDITIONS

1. The project approval consists of a new 630-square-foot attached accessory dwelling unit (ADU). The project is compliant with the development standards in CMC Chapter 17.74. The proposed project is approved as indicated on the final plans reviewed and approved by Community Development Department on July 16, 2021.
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 Community Development Department. 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 a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Water District, and Central Fire Protection District.
7. 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.
8. 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).
9. 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.
10. 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.
11. 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
12. 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.
13. 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.
14. 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 §17.81.160.
15. 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.

16. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
17. 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 accessory dwelling unit may not be used for vacation rentals; and
 - b. The secondary dwelling unit shall not be sold separately from the primary dwelling.

COASTAL FINDINGS

A. 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 4855 Topaz Street. 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 Topaz Street. 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 4855 Topaz Street. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

- e. Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

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

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

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

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

SEC. 30222

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

- The project involves a new attached ADU on a residential lot of record.

SEC. 30223

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

- The project involves a new attached ADU on a residential lot of record.

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

- The project involves a new attached ADU 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 a new attached ADU on a residential lot of record. 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 0.8 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 involves a new attached ADU on a residential lot of record. 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 (Single-Family Residential) zoning district.

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

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

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

- The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
- The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
- The village area preferential parking program shall be limited to three hundred fifty permits.
- Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
- Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
- 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.
- A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- 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 0]
MOVER:	Susan Westman
SECONDER:	Courtney Christiansen
AYES:	Courtney Christiansen, Mick Routh, Susan Westman, Peter Wilk
ABSTAIN:	Ed Newman

5. PUBLIC HEARINGS

A. 4875 Opal Street #21-0076 APN: 034-064-12

Design Permit for the construction of a new single-family residence on a vacant lot located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: DRVO Builders

Representative: Dennis Norton, Filed: 03.30.21

Assistant Planner Sean Sesanto presented the staff report.

MOTION: Approve the design permit with the following conditions and findings.

CONDITIONS

1. The project approval consists of construction of a new 1,834-square-foot single-family residence. The maximum Floor Area Ratio for the 3,280 square foot property is 56% (1,837 square feet). The total FAR of the project is 55.9% with a total of 1,834 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 July 15, 2021, 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. The landscape plan included in the application does not match the site plan related to required setbacks and driveway width. Prior to issuance of building permit, the

landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the site plan approved by the Planning Commission and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.

7. Prior to issuance of building permit, all Planning fees associated with permit #21-0076 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
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). Submit plan details and specifications of the pervious and semi-pervious pavers; and artificial turf installation.
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 issuance of building permits, the applicant shall submit plans detailing all improvements or modifications that impact or interface with the public right of way. At a minimum these details will include the limits of any existing or proposed curb drains, ADA compliant driveway approach, or any other modification to the curb/gutter/sidewalk. The extent of all improvements or modifications shall be limited to those areas fronting the property boundary and shall not impact the frontage of adjacent parcels.
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, the applicant shall demonstrate compliance with the tree planting requirements for new development with 2 trees to be planted on the property. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans unless otherwise approved by the Community Development Director.
18. 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.
19. 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.
20. 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.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
22. 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.

DESIGN PERMIT FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed single-family residence complies with the development standards of the Single-Family 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 new single-family residence. The design of the home with horizontal siding, accent vertical board-and-batten siding, gabled and Dutch gable roof ends, and a standing seam metal roof will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

A. 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 in a residential zone. This project involves the construction of a new single-family residence within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

A. 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 4875 Opal Street. 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 an inset street at 4875 Opal Street. 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 4875 Opal Street. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. **Other Adverse Impacts on Access and Recreation.** Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of

tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

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

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

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

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

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

5. Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and

as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

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

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

SEC. 30222

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

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

SEC. 30223

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

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

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

- The project involves a new single-family residence 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 new single-family residence. 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 0.5 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 new single-family residence. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
- 13. Provision of park dedication, school impact, and other fees as may be required;**
- The project will be required to pay appropriate fees prior to building permit issuance.
- 14. Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**
- The project does not involve a condo conversion or mobile homes.
- 15. Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- 16. Project complies with Monarch butterfly habitat protection policies;**
- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
- 17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
- Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- 18. Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- 19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;**

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

20. Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

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

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Susan Westman
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

B. SB2 Pre-Approved ADU Program Overview

Introduction to SB2 Pre-Approved Accessory Dwelling Unit (ADU) Program.

Representative: Matt Orbach, Associate Planner, City of Capitola

Applicant: City of Capitola

Associate Planner Orbach presented the staff report.

The majority of Planning Commission provided direction to proceed with smaller prototype designs. The Planning Commission did not provide consensus on a preferred architectural style but supported a variety in design options.

This is a presentation only. No action is required.

6. DIRECTOR'S REPORT

Community Development Director Herlihy reminded the Commission of the upcoming six-month review of the food vendor permit for mobile vendors at Capitola Mall. She also updated the Commission regarding the Outdoor Dining program in Capitola Village, as well as funding for the Rispin Park and Capitola Wharf projects. Lastly, she thanked Associate Planner Orbach for his many years of service to the City of Capitola.

Commissioner Wilk sought clarification concerning the allocation of grant funds from the Rispin Park project. Director Herlihy responded that a portion of the grant may have been used for ADA compliance as it was a requirement for the project to proceed.

7. COMMISSION COMMUNICATIONS**8. ADJOURNMENT**

The meeting was adjourned at 8:12 P.M. to the next regular meeting of the Planning Commission on August 19, 2021.

Approved by the Planning Commission

Edna Basa, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: AUGUST 19, 2021

SUBJECT: **Ordinance amending Capitola Zoning Code/LCP IP Section 17.96.170
Temporary Outdoor Dining**

Request to Continue Ordinance Amending the Capitola Zoning Code/Local Coastal Program Implementation Plan Section 17.96.170 for Temporary Outdoor Dining.

BACKGROUND

Staff is currently drafting an update to the zoning code to allow outdoor dining decks within the Central Village. This item was noticed in the newspaper to be include on the August 19, 2021 agenda. Staff is requesting the item be continued to September 2, 2021.

RECOMMENDATION

Staff recommends the Planning Commission continue the item to the September 2, 2021, meeting.

Prepared By: Katie Herlihy
Community Development Director



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 19, 2021
 SUBJECT: **523 Oak Drive** **#21-0032** **APN: 035-082-03**

Design Permit for first- and second-story additions to an existing nonconforming single-family residence located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Owner: James & Andrea Habing

Representative: Dennis Norton, Filed: 02.02.2021

APPLICANT PROPOSAL

The applicant is proposing 98 square feet of first- and second-story additions to a nonconforming single-family residence at 523 Oak Drive in the R-1 (Single-Family Residential) zoning district. The application complies with all development standards of the R-1 zone.

BACKGROUND

On February 8, 2021, a conversion of a 258-square-foot detached living space into a detached accessory dwelling unit (ADU) was ministerially approved consistent with the ADU regulations of zoning code chapter 17.74.

On July 28, 2021, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: stated that the applicant must submit a revised stormwater application. The applicant was also informed that several standard conditions of approval related to stormwater, drainage and erosion control, and encroachments will be added to the conditions of approval for the project.

Building Department Representative, Robin Woodman: had no comments.

Assistant Planner, Sean Sesanto: requested the applicant to update the exiting elevations to match the current siding of the residence. Mr. Sesanto noted that the new window configuration on the second story appears to consider privacy impacts for the adjacent property.

Following the Architecture and Site Review Committee meeting, the applicant submitted revised elevations and addressed the stormwater comments.

Development Standards

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

Development Standards				
Building Height				
R-1 Regulation	Existing		Proposed	
25 ft.	24 ft. 9 in.		24 ft. 9 in.	
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	2,800 sq. ft.		2,800 sq. ft.	
Maximum Floor Area Ratio	57% (Max 1,596 sq. ft.)		57% (Max 1,596 sq. ft.)	
First Story Floor Area	600 sq. ft.		616 sq. ft.	
Second Story Floor Area	370 sq. ft.		452 sq. ft.	
<i>Deck/Covered Ext. Space</i>	<i>200 sq. ft. (exempt)</i>		<i>205 sq. ft. (exempt)</i>	
Detached Carport	193 sq. ft.		193 sq. ft.	
Detached Accessory Dwelling Unit	294 sq. ft.		294 sq. ft.	
TOTAL FAR	52% (1,457 sq. ft.)		55.5% (1,555 sq. ft.)	
Yards (setbacks are measured from the edge of the public right-of-way)				
	R-1 Regulation	Existing	Proposed	
Front Yard 1st Story	15 ft.	13 ft. 6 in.	13 ft. 6 in. Existing nonconforming	
Front Yard 2nd Story	20 ft.	25 ft. 5 in.	20 ft.	
Side Yard 1st Story	10% lot width	Lot width 40 ft. 4 ft. min.	North: 4 ft. South: 15 ft. 7 in.	North: 4 ft. South: 15 ft. 7 in.
Side Yard 2nd Story	15% of width	Lot width 40 ft. 6 ft. min	North: 4 ft. South: 15 ft. 7 in.	North: 4 ft. Existing nonconforming South: 15 ft. 7 in.
Rear Yard 1st Story	20% of lot depth	Lot depth 70 ft. 14 ft. min.	26 ft. 2 in.	22 ft. 8 in.
Rear Yard 2nd Story	20% of lot depth	Lot depth 70 ft. 14 ft. min	20 ft. 6 in.	20 ft. 6 in.
Parking				
	Required	Existing	Proposed	
Residential up to <u>1,500</u> sq. ft. and ADU	3 spaces total 0 covered 3 uncovered	3 spaces total 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered*	

*Garage floor area exempt from parking calculation			*ADU parking space in front yard setback area
Accessory Structures			
Detached Carport	Approved with a variance in 1980 under permit #1571		
Underground Utilities: required with 25% increase in area			Not Required

DISCUSSION

The existing single-family residence is located within the Riverview Terrace neighborhood, surrounded by one- and two-story single-family residences. The lot also contains a detached living space which was ministerially approved for an ADU conversion earlier this year. The applicant is proposing 98 square feet of additions, which includes modifications to the front of the home to expand a second-story bedroom and a sixteen foot addition to the rear of the home to accommodate an internal elevator.

Design Permit

The project retains much of the existing appearance with slight modifications to each elevation. On the front elevation, the new addition extends the second story five feet six inches closer to the front façade of the first story and incorporate a tiered gable roof and a centrally located window. On the sides of the home, the window locations are modified to align with the new floor plan in terms of function and privacy. The rear elevation incorporates the new elevator shaft. Shingle siding is proposed around the second-story addition to match existing. Vertical board siding would replace the existing stucco throughout all first-story elevations of the residence. The proposed modifications improve the design of the building as viewed from the street and will fit well within the neighborhood.

When considering design permit applications, the Planning Commission evaluates applications to ensure that they satisfy the applicable design permit criteria of Zoning Code section 17.120.070.A-S, to ensure the proposed design satisfies the 19 listed criteria, to the extent the criteria apply. The design criteria to be considered are included as Attachment 3. In staff’s review of the application, the proposed addition satisfies all the applicable design criteria; therefore, the required findings to issue a design permit are included in the findings section at the report.

Parking

Single-family dwellings with a floor area less than 1,500 square feet are required to provide two parking spaces, neither of which must be covered. The lot currently provides one uncovered parking space and one covered parking space for the primary dwelling unit. An additional uncovered parking space will be located in the front setback prior to certificate of occupancy issuance for the ADU.

Non-Conforming Structure

The existing structure is located within the required first-story front setback and the second-story north side setback and is therefore a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure. The applicant submitted a construction cost breakdown demonstrating that the alterations are 33.9 percent of the present fair market value of the structure, so the alterations are permissible.

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations, which

exempts minor additions and alterations of existing private structures that 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 involves first- and second-story additions that increase the floor area by 98 square feet (10%). No adverse environmental impacts were discovered during project review by Planning Department Staff.

RECOMMENDATION

Staff recommends the Planning Commission consider application #21-0032 and approve the application with the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of 98 square-feet of first- and second-story additions. The maximum Floor Area Ratio for the 2,800 square foot property is 57% (1,596 square feet). The total FAR of the project is 55.5% with a total of 1,555 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 August 19, 2021, 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 landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #21-0032 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.

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 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 17.156.080.
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.

DESIGN PERMIT FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 98-square-foot first- and second-story addition is consistent with the general plan and the local coastal program.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 98-square-foot first- and second-story addition complies with the development standards of the R-1 (Single-Family Residential) zoning district.

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

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 additions add 98 square feet (10%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 98-square-foot first- and second-story addition will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The 98-square-foot first- and second-story addition complies with the applicable design review criteria as described in the staff report.

- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the 98-square-foot first- and second-story addition. The design of the home, with a repeating gable roof pattern, vertical board on the first story and shingle siding on the second story, will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

ATTACHMENTS:

1. 523 Oak Drive - Plan Set
2. 523 Oak Drive - Construction Cost Breakdown
3. 523 Oak Drive - Colorboard
4. Design Permit Design Review Criteria

Prepared By: Sean Sesanto

GENERAL NOTES:

GENERAL:

- PROJECT SHALL COMPLY WITH THE 2019 CALIFORNIA RESIDENTIAL BUILDING CODE, PLUMBING, MECHANICAL, ELECTRICAL, FIRE AND CALIFORNIA DRAINAGE DIVISION STANDARDS CODE.
- CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES IN THE FIELD.
- VERIFY THE STABILITY OF ALL FOUNDATIONS BEFORE ANY WORK AND PROVIDE SHORING, BRACING AND/OR SUPPORT AS REQUIRED.
- ALL DIMENSIONS FOR MEASURING IN FIELD - WRITTEN DIMENSIONS SHALL SUPERSEDE SCALED DRAWINGS. CONTACT DESIGNER IF ANY DISCREPANCIES EXIST.
- CONTRACTOR SHALL REMOVE ALL DEBRIS THROUGHOUT AND KEEP CONSTRUCTION SITE ORDERLY.
- PLUMBING AND MECHANICAL PLANS WILL BE SUBMITTED BY THE CONTRACTOR.
- NO PERSON MAY TAP INTO ANY FIRE EXTINGUISHING OR SUB-POTABLE WATER SUPPRESSION OR JET WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE WATER SUPPLIER AND FROM COUNTY HEALTH DEPT. ALL HOSES USED IN CONNECTION WITH ANY CONSTRUCTION ACTIVITIES SHALL HAVE A SHUT OFF NOZZLE.
- WHEN AN AUTOMATIC SHUTOFF NOZZLE CAN BE OBTAINED FOR THE SIZE/TYPE OF HOSE USED, PROVIDE AUTOMATIC SHUTOFF NOZZLE.
- NO POTABLE WATER MAY BE USED FOR COMPACTION OR DUST CONTROL IN CONSTRUCTION ACTIVITIES WHERE THIS IS NOT RECOMMENDED. PROVIDE OR SUB-POTABLE WATER APPROVED BY THE COUNTY HEALTH DEPT.
- ALL WORK AND CONSTRUCTION SHALL COMPLY WITH THE 2019 CALIFORNIA BUILDING CODE (CBC), AND ALL OTHER APPLICABLE CODES, REGULATIONS AND SAFETY REQUIREMENTS.
- PERMANENT PROPERTY CORNER HUBS ARE REQUIRED TO BE IN PLACE PRIOR TO FOUNDATION INSPECTION.

SITE:

- FRESH GRADE SHALL SLOPE (MINIMUM 2%) AWAY FROM STRUCTURE.
- ALL DISTURBED AREAS, NOT WITHIN LANDSCAPE PLAN, TO BE REVEGETATED WITH NATIVE GRASSES.
- ALL MATERIALS CONTAINING GRASS, BRUSH OR ROOTS SHALL BE STRIPPED PRIOR TO ANY GRADING OPERATIONS. THIS MATERIAL SHOULD BE STOCKPILED FOR LATER USE AS TOPSOIL.
- TREES NOTED TO BE SAVED ARE TO BE PROVIDED PROTECTION BY FENCING OR OTHER MEANS DURING CONSTRUCTION.
- THE INSTALLATION FORM OF-AIR AND THE CERTIFICATION OF INSULATION ARE REQUIRED TO BE POSTED AT THE JOB SITE DURING THE CONSTRUCTION OF THE PROJECT.
- ALL HOUSE DRAINAGE TO LANDSCAPED AREAS.
- ALL SUBSTRUCTURES TO REVIEW AND SIGN CONSTRUCTION WASTE MANAGEMENT PLAN.

ENERGY REQUIREMENTS:

- ALL EXTERIOR DOORS SHALL HAVE ALUMINUM OR WOOD THRESHOLD AND INTERLOCKING WEATHERSTRIP, UNLESS NOTED OTHERWISE.
- JOISTS AND PENETRATIONS SHALL BE CALKED AND SEALED.
- DOORS & WINDOWS SHALL BE CERTIFIED. ALL WINDOWS DOUBLE GLAZED EXCEPT WHERE NOTED OTHERWISE.
- EXHAUST SYSTEM SHALL HAVE DAMPER CONTROLS.
- HVAC EQUIPMENT SHALL HAVE SET BACK THERMOSTAT.
- FIRST FIVE FEET OF PIPES CLOSEST TO WATER HEATER TANK SHALL BE WRAPPED WITH R-3 MINIMUM.
- HVAC EQUIPMENT, WATER HEATER, SHOWER HEADS AND FAUCETS SHALL BE CERTIFIED.
- CONTRACTOR TO PROVIDE AND POST ON THE STRUCTURE AT FINAL INSPECTION A COMPLETED INSULATION CERTIFICATE.
- NFRC LABELS MUST REMAIN ATTACHED TO THE GLAZING UNITS. AFTER INSULATION INSPECTION IS COMPLETED.

FOUNDATION:

- CONTRACTOR SHALL CAREFULLY EXCAVATE ALL MATERIALS NECESSARY, OF WHATEVER NATURE, FOR CONSTRUCTION OF THE WORK. ANY MATERIAL OF AN UNSUITABLE OR CELESTIOUS NATURE DISCOVERED BELOW THE BOTTOMS OF THE FOUNDATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEING PROVIDED WITH WORK.
- GROUND ON WHICH GRADE BEAMS AND EXTERIOR CONCRETE FOOTING ARE CONSTRUCTED MUST BE LIGHTLY PRECOMPRESSED BEFORE CONCRETE IS PLACED.
- USE 20# PRESSURE TREATED SILLS OVER CONCRETE OR
- USE MINIMUM 5/8" X 10" LAB AT 48" O.C. U.N.G. ALL ANCHOR BOLTS SHALL BE INSTALLED WITH METAL SLOTTED WASHERS (5"x3"x0.225"). FOUNDATION DETAILS SHALL SUPERSEDE GENERAL NOTES.
- PROVIDE 18"x24" DRAIN, ACCESS WITH 2'-0" O.D. OF ALL BATHROOMS AND PLUMBING CLEANOUTS. PROVIDE ADDITIONAL 18" ACCESS UNDER MAIN HEAT DUCT.
- PROVIDE 18"x24" DRAIN, ACCESS WITH 2'-0" O.D. OF ALL BATHROOMS AND PLUMBING CLEANOUTS.
- PROVIDE MINIMUM 60 PSI, IN TROD VENTING PER CAR TO OUTSIDE AIR, 4" ABOVE GARAGE FLOOR.
- CONCRETE SHALL DEVELOP 2500 PSI MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS, IN ACCORDANCE WITH THE PROVISIONS IN AC 308 STANDARD PRACTICE FOR CASTING CONCRETE, LATEST EDITION. ALL CONCRETE WORK SHALL CONFORM WITH THE APPLICABLE PROVISIONS, LATEST EDITION.
- REINFORCING STEEL SHALL CONFORM TO ASTM A615 GRADE 40 FOR #1 BARS AND SMALLER, AND GRADE 60 FOR #4 BARS AND LARGER. BARS SHALL BE WIRED TOGETHER AND LAPPED AT SPACES A MINIMUM OF 40 BAR DIAMETERS IN CONCRETE AND MASONRY. WHERE Pairs OF SINGLE LAYER HORIZONTAL BARS MEET AT CORNERS, BEND ONE BAR TO LAP 40 BAR DIAMETERS WITH THE INTERSECTING BAR. ALTERNATELY, PROVIDE 3 BARS WITH EACH LEG 40 BAR DIAMETERS. SEE DRAWINGS FOR OTHER LAP REQUIREMENTS WHERE NOTED. WHERE CONCRETE IS POURED AGAINST EARTH, PROVIDE 2" MINIMUM CONCRETE AROUND REINFORCED STEEL. CONCRETE COVER FOR OTHER CONDITION SHALL BE AS FOLLOWS: (1) ABOVE GRADE FORMED = 1 1/2" MIN. (2) BELOW GRADE = FORMED = 2" MIN. (3) OTHER = SEE STRUCTURAL PLANS.
- PROVIDE NECESSARY HOLES THROUGH CONCRETE FOR ACCESS, PLUMBING, ETC. SEE POUND DET. GARAGE SLAB TO BE FINISHED 3/04. ALL OTHER EXPOSED CONCRETE SLABS SHALL BE LIGHT BROWN FINISH, UNLESS NOTED OTHERWISE.
- SLOPE GARAGE SLAB 1/4" (1/2) OUTSIDE FOR DRAINAGE.
- ALL DIMENSIONS ARE TO FACE OF CONCRETE FOR FOUNDATION FACE OF STUDS FOR FRAMING, U.N.G. FRAMING ANCHORS AND STRINGS AND OTHER STANDARD FRAMING ACCESSORIES SHALL BE "SMIPSON" OR APPROVED EQUAL, OF THE DESIGNATION NOTED ON THE PLANS. ALL NAIL HOLES SHALL BE FILLED, AND NAILS SHALL BE OF THE SIZE AND LENGTH SPECIFIED AND/OR SUPPLIED BY THE MANUFACTURER, UNLESS NOTED OTHERWISE. WHEN INSTALLING OVER PLYWOOD, USE CORNER NAILS. JOIST AND BEAM HANGERS SHALL BE 1-1/2"X, EXCEPT AS NOTED. 2-MAX OR EQUAL AT PRESSURE TREATED WOOD.

FRAMING, FINISHES, ETC.:

- ALL CONSTRUCTION SHALL CONFORM TO THE "GENERAL CONSTRUCTION REQUIREMENTS" THE CONVENTIONAL CONSTRUCTION SPECIFICATIONS, AND ANY OTHER SECTION OF 2016 I.B.C. UNLESS NOTED OTHERWISE IN THE PLANS. THESE SPECIFICATIONS:
 - METAL FRAME CONNECTORS SHALL BE EMPLOYED ON EQUAL INSTALL PER MANUFACTURER'S SPECS.
 - WOOD JOISTS AND CEILING JOISTS TO BE USED LAPPED AND NAILED OVER TOP PLATES.
 - PROVIDE RAFTER TIES (MINIMUM 1/4" DIA) IN LOWER THIRD OF ATTIC WHERE CEILING JOISTS ARE NOT PARALLEL TO RAFTERS.
 - ALL BOLTS THROUGH WOOD SHALL BE A DRIVE FIT WITH WASHER UNDER HEADS AND NUTS.
 - PROVIDE SLOD BLOWING AT ENDS OF ALL JOISTS AND RAFTERS, OVER BEARING WALLS AND AT 8"-8" O.C. MAXIMUM FOR 2X12 AND DEEPER MEMBERS.
 - ATTIC VENTILATION SHALL BE PROVIDED TO THE APPLICABLE TO BE VENTED.
 - ALL EXTERIOR WALL COVERINGS SHALL BE APPLIED OVER MINIMUM 1/8 LB. BUILDING PAPER.
 - EXTERIOR STUCCO WALLS SHALL HAVE A 3/16" W/2" WOOD SORE AT OR BELOW THE FOUNDATION SHEATHING, STUCCO TO BE APPLIED 3/4" COAT APPLICATION.
 - PROVIDE DOUBLE HANGERS AND HEADERS AT ALL SLOTTED OPENINGS.
 - OCCUPANCY SEPARATION BETWEEN GARAGE AND HOUSE SHALL BE A SELF-CLOSING, TIGHT FITTING, SOLID CORE DOOR 1 3/8" MINIMUM IN THICKNESS.
 - MINIMUM 4'-8" CLEARANCE REQUIRED FROM STAIR TREAD NOSING TO CEILING.
 - COMBUSTION AIR: PROVIDE 2" - 6"x16"-17/4" MESH VENTS 6" FROM FLOOR & 6" FROM CEILING. SOLICITS SHALL BE TEMPERED/INSULATED GLASS FOR GLAZED SOLICITS.
 - TUB ENCLOSURES SHALL BE FULLY TEMPERED GLASS, LAMINATED SAFETY GLASS OR APPROVED PLASTIC OF A SHATTER-RESISTANT TYPE.
 - INTERMEDIATE BILLS OR AN ORNAMENTAL PATTERN SHALL PREVENT PASSAGE OF A 4" DIAMETER SPHERE: (2) AND 40 LBS. OR LARGER FOOT APPLIED HORIZONTALLY TO THE TOP RAIL.
 - ALL FRAMING LEMER SHALL BE GRADE STAMPED. ALL WALLS SHALL BE FRAMED WITH 2X4 STUDS @ 16" O.C. UNLESS OTHERWISE SPECIFIED.
 - PLYWOOD SHALL BE APA RATED SHEATHING CONFORMING TO PS-43. EXPOSURE 1 OF EXTERIOR, OF THE THICKNESS, GRADE AND/OR SPAN RATINGS NOTED ON THE DRAWINGS. LAY FACE GRAN SHEETS PERPENDICULAR TO SUPPORTING MEMBERS OF HORIZONTAL DIAPHRAGMS. SHEETS MAY LAP WITH FACE GRAN OTHER PERPENDICULAR OR PARALLEL TO SUPPORTING MEMBERS OF VERTICAL DIAPHRAGMS. PROVIDE TWO SHEET EDGES ARE BLOCKED; PROVIDE ONE BLOCKUP AT THE CENTER OF ALL SHEETS UNINSURED SHEET EDGES ON ROOFS, UNLESS TONGUE AND GROOVE EDGES ARE USED.
 - PLYWOOD EDGE NAILING PER 2016 I.B.C. OR AS SPECIFICALLY NOTED SHALL OCCUR AT ALL FRAMED OR BLOCKED SHEET EDGES AND AT OTHER LOCATIONS INDICATED ON THE PLANS AND DETAILS, WHETHER OR NOT SHEET EDGES OCCUR AT THESE LOCATIONS.
 - MICROMIL MEMBERS SHALL BE AS MANUFACTURED BR TRUSS, JOIST OR APPROVED EQUAL, IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS: 75#-2000 AND C41/30000 (W/ CONFORMING TO NEB-481)
 - GULF-LAMINATED BEAMS MANUFACTURED BY AN APPROVED FABRICATOR, CERTIFICATE OF COMPLIANCE SHALL BE SUBMITTED TO SUPPORTING MEMBERS OF HORIZONTAL DIAPHRAGMS. SHEETS MAY LAP WITH FACE GRAN OTHER PERPENDICULAR OR PARALLEL TO SUPPORTING MEMBERS OF VERTICAL DIAPHRAGMS. PROVIDE TWO SHEET EDGES ARE BLOCKED; PROVIDE ONE BLOCKUP AT THE CENTER OF ALL SHEETS UNINSURED SHEET EDGES ON ROOFS, UNLESS TONGUE AND GROOVE EDGES ARE USED.
 - WOOD SILLS SHALL BE ATTACHED TO CONCRETE FOUNDATIONS OR SLAB WITH 5/8"x7/16" ANCHOR BOLTS @ 4'-0" O.C. MAXIMUM SPACING, EXCEPT AS NOTED OTHERWISE. THERE SHALL BE A MINIMUM OF TWO BOLTS INCLUDING ONE BETWEEN 4" AND 10" FROM EACH ADJOINING PEEC EXCEPT AS OTHERWISE NOTED.
 - DOUBLE PLATES SHALL LAP A MINIMUM OF 4'-0" AT SPLICES AND BE NAILED WITH NO LESS THAN 18#-16S NAILS. ALL CUTS IN PLATES SHALL OCCUR OVER A STUD.
 - HOLES IN WOOD SILLS OR PLATES OF SHEAR OR BEARING WALLS SHALL BE PLACED IN THE CENTER OF THE PEEC AND SHALL BE NO GREATER IN DIAMETER THAN 1/2 THE WIDTH OF THE MEMBER. HOLES LARGER THAN NOTED ABOVE MAY BE BORED IN SILLS, PROVIDING THE SILL IS CONSIDERED CUT IN TWO AND ANCHOR BOLTS ARE PLACED ACCORDING.
 - UNLESS OTHERWISE SPECIFIED, NON-BEARING WALLS SHALL BE BUILT MEMBERS THE WIDTH OF THE STUDS AND A MINIMUM NOMINAL DEPTH IN INCHES AT LEAST EQUAL TO THE SPAN LENGTH IN FEET. UNLESS IN BEARING WALLS SHALL BE AS NOTED ON THE PLANS.
 - TOILET SILL HAVE MAX. 1.28 GAL./PSI; SHOWER HEAD FLOW SHALL BE MAX. 1.8 GAL./MIN. AT 80 PSI; WATER PRESSURE SHALL BE 50 PSI MAX; FAUCETS SHALL BE MAX. 1.2 GPM.
 - SEE MATERIALS.

PLUMBING:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION (2019 C.P.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- SLOPE OF DRAINS 1/4" (1/2") MINIMUM. CLEARANCE FOR CLEANOUTS 18" MINIMUM.
- PROVIDE 1/2" SQ. ACCESS PANEL OR UTILITY SPACE FOR ALL PLUMBING FIXTURES HAVING CONCEALED SLIP JOINT CONNECTIONS.
- TOILET SILL HAVE MAX. 1.28 GAL./PSI; SHOWER HEAD FLOW SHALL BE MAX. 1.8 GAL./MIN. AT 80 PSI; WATER PRESSURE SHALL BE 50 PSI MAX; FAUCETS SHALL BE MAX. 1.2 GPM.
- SEE MATERIALS.
- A WATER - COPPER TYPE "M" WITH LEAD SOLDER
 - B. GAS - SCHEDULE 40 ABS
- FREESTAIR OUTLET CONTROL VALVES SHALL BE LOCATED IN THE SAME ROOM AS THE OUTLET, OUTSIDE THE HEARTH, BUT NOT MORE THAN 4' FROM SUCH OUTLET.
- ALL FAUCETS SHALL HAVE A MINIMUM FLOW RATE OF 1.2 GPM @ 80 PSI.
- KITCHEN SINKS, LAVATORIES, SHOWERS, BIDETS, LAUNDRY TUBS AND WASHING MACHINE OUTLETS SHALL BE PROVIDED WITH BOTH HOT AND COLD WATER.
- THE USE OF SOLDERS CONTAINING MORE THAN TWO-TENTHS OF 1 PERCENT LEAD IN MAKING JOINTS ON PRIVATE, PUBLIC WATER SUPPLY SYSTEM IS PROHIBITED.
- ALL HOT WATER FAUCETS THAT HAVE MORE THAN TEN FEET OF PIPE BETWEEN THE FAUCET JOINTS BE EQUIPPED WITH A HOT WATER RECIRCULATING SYSTEM. (SECTION 610, ORD. 3522)

PLUMBING CONTINUED:

- PROVIDE 2x6 PLUMBING WALLS.
- SHOWERS SHALL BE FINISHED WITH A NON-ABSORBANT SURFACE TO A HEIGHT OF 72" ABOVE DRAIN INLET, SHOWER & TUB WALLS TO BE A SMOOTH, HARD NON-ABSORBANT SAUFACE OVER A MINIMUM OF 1/4" THICKNESS OF PORTLAND CEMENT, GLASS MAT GYPSUM, ETC.) TO A HT. OF 72" ABOVE DRAIN INLET (NOT 70" PER CRC 302).
- USE NON-REMOVABLE BACKFLOW PREVENTION DEVICES ON ALL HOSE BIBBS. (PFC605)
- WATER HEADERS SHALL HAVE A PRESSURE RELIEF VALVE W/ GROMMET TO OUTSIDE.
- SHOWER AND TUB-SHOWER REMOVABLES SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES & PRESSURE-BALANCE OR THE HYDROSTATIC MIXING VALVE TYPE. (MAX. 1.0 GPM)
- PROVIDE APPROVED NON-REMOVABLE BACKFLOW PREVENTION DEVICES ON HOSE BIBBS.
- 1/2" WATER LINE FROM METER TO WATER HEATER VALVE.
- ALL BUILDING WATER SUPPLY SYSTEMS IN WHICH QUICK-CLOSING VALVES (WASHING MACHINES, DISHWASHERS, ETC.) ARE INSTALLED, SHALL BE PROVIDED WITH DEVICES TO ABSORB HIGH PRESSURES RESULTING FROM THE QUICK CLOSING OF THESE VALVES.
- FERRIS GAS PIPES MUST BE ELECTRICALLY ISOLATED FROM THE REST OF THE GAS SYSTEM WITH A LISTED OR APPROVED ISOLATION FITTING INSTALLED A MIN. OF 6" ABOVE GRADE.

MECHANICAL:

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH (2019 C.M.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- CLOTHES DRYER SHALL BE VENTED TO EXTERIOR OF BUILDING. ALL FACTORY MADE PRODUCTS TO BE INSTALLED TO INSTALLATION INSTRUCTIONS & STANDARDS. USE UL 1818 TAPE.
- BATHROOMS, TOILET COMPARTMENTS AND LAUNDRY ROOMS REQUIRING MECHANICAL VENTILATION SHALL HAVE A SYSTEM CAPABLE OF PROVIDING 8 AIR CHANGES PER HOUR.
- SPARK ARRESTOR REQUIRED ON EACH FIREPLACE CHIMNEY AND SHALL HAVE MINIMUM AREA OF 4 TIME NET FREE AREA OF CHIMNEY OUTLET.
- CHIMNEYS SHALL EXTEND MIN. 2' ABOVE THE HIGHEST ELEVATION OF ANY PART OF THE BUILDING WITHIN 10' OF CHIMNEY. SECURE LEAST SECTION OF METAL FLUE TO PREVENT LATERAL DISPLACEMENT.
- STRAP WATER HEATERS TO WALL AND/OR FASTEN TO FLOOR TO RESIST LATERAL FORCES EQUAL TO 100# OR GRAVITY LOAD.
- HEATING AND COOLING EQUIPMENT LOCATED IN THE GARAGE WHICH GENERATES A GLOW, SPARK OR FLAME CAPABLE OF IGNITING FLAMABLE VAPORS SHALL BE INSTALLED WITH FLOTS AND BURNERS OR HEATING ELEMENTS & SWITCHES AT LEAST 18" ABOVE THE FLOOR LEVEL.
- ALL ENVIRONMENTAL AIR DUCTS SHALL BE A MINIMUM OF 3'-0" FROM ANY OPENING INTO BUILDING.
- DUCTS PENETRATING THE SEPARATION SHALL BE CONSTRUCTED OF NOT LESS THAN 26 GAUGE GALVANIZED STEEL AND BE CONTINUOUS WITHOUT OPENINGS OR NON-METALLIC CONNECTIONS.
- DUCT CONNECTIONS TO BE WRAPPED WITH LISTED 18, 181 TAPE IN ACCORDANCE WITH THE FOLLOWING:
 - A. AT EACH THE INNER CORNER TO THE COLLAR WITH AT LEAST TWO WRAPS OF APPROVED DUCT TAPE AND SECURE WITH AN APPROVED CLAMP.
 - B. FULL JACKETING AND INSULATION BACK OVER THE CORSE AND USE TWO WRAPS OF APPROVED TAPE OR AN APPROVED CLAMP.
- PIPING PENETRATING TO BE METAL INCLUDING PIPES EXPOSED IN THE GARAGE.
- AIR DUCTS INSTALLED UNDER A FLOOR IN A CRAWL SPACE SHALL BE INSTALLED SO AS TO MAINTAIN A VERTICAL CLEARANCE OF EIGHTEEN (18) INCHES FOR ALL PORTIONS OF THE DUCT THAT WOULD OBSTRUCT ACCESS TO ANY PART OF THE CRAWL SPACE. C.M.C. SECTION 604.1.

ELECTRICAL:

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF (2019 C.E.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- ALL 120 VOLT SINGLE PHASE 15 AND 20 AMP RECEPTACLE OUTLETS INSTALLED OUTDOORS IN GARAGES, IN BASEMENTS, IN BATHROOMS AND THE KITCHEN ABOVE COUNTER TOP SURFACE SHALL HAVE GROUND-Fault CIRCUIT PROTECTION.
- PLUMBING PIPELINES PROVIDED FOR USE AS ELECTRICAL GROUND.
- SMOKE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING AND HAVE BATTERY BACK-UP. ONE SMOKE DETECTOR SHALL BE LOCATED IN EACH SLEEPING ROOMS & HALLWAY ON EACH FLOOR.
- SERVICE CONDUITS SHALL HAVE A CLEARANCE OF NOT LESS THAN 3 FEET FROM WINDOWS, DOORS, FENCES, FIRE ESCAPES OR SIMILAR LOCATION.
- GENERAL LIGHTING IN KITCHEN AND BATHS SHALL BE L.E.D.
- LIGHT FIXTURES ABOVE SHOWER/TUB SHALL BE W/P RATED AND COMPLY WITH CODE.
- CONDUCTOR WIRES WITH AN INSULATED NEUTRAL & A FOUR-PROMG OUTLET ARE REQUIRED FOR DRIVERS & COOKING UNITS.
- RECEPTACLES AT FRONT AND REAR OF HOME SHALL BE WATERPROOF & G.F.C.I. PROTECTED & MUST BE WITHIN 6"-8" OF GRADE.
- PROVIDE G.F.I. CIRCUITS AT GARAGE, KITCHEN, BATHS AND EXTERIOR. DISHWASHER.
- BREAKER CIRCUITS THAT SUPPLY 120-VOLT, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN DWELLING UNIT: FAMILY ROOMS, KITCHENS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DENIS, BEDROOMS, SLEEPING PORCHES, RESTROOMS, CLOSETS, HALLWAYS, OR SIMILAR ROOMS OR AREAS SHALL BE ARC-FAULT CIRCUIT INTERRUPTER (A.F.C.I.) PROTECTED PER C.E.C. 210.12(B).
- KITCHEN CIRCUITS TO BE IN ACCORDANCE WITH CALIFORNIA ELECTRICAL CODE - TWO 20-AMP SMALL APPLIANCE CIRCUITS SUPPLYING KITCHEN & DINING ROOM. - SEPARATE CIRCUIT FOR DISPOSAL.
- DISHWASHER RECEPTACLE MUST BE SUPPLIED BY A DEDICATED 20 AMP CIRCUIT WITH G.F.C.I. PROTECTION.
- CENTRAL ELECTRICAL CODE ARTICLE 210-11(C)(3).
- CENTRAL HEATING EQUIPMENT SHALL BE SUPPLIED BY AN INDIVIDUAL BRANCH CIRCUIT.
- L.E.D. LIGHTING IN ALL HABITABLE ROOM.
- RECESSED LUMINAIRE ARE REQUIRED TO BE LABELED FOR ZERO CLEARANCE INSULATION COVERAGE (IC) AND SHALL BE LABELED AIR TIGHT (AT).
- ALL BATHROOM RECEPTACLES TO BE SUPPLIED BY A DEDICATED 20 AMP CIRCUIT WITH G.F.C.I. PROTECTION. CALIFORNIA ELECTRICAL CODE ARTICLE 210-8 & 210-11(C)(3).
- ALL LAUNDRY ROOM RECEPTACLES TO BE SUPPLIED BY A DEDICATED 20 AMP CIRCUIT.

FIRE DEPARTMENT REQUIREMENTS:

- OCCUPANCY CLASSIFICATION PER-V-B BUILDING CONSTRUCTION TYPE I-V-B
- PER FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1,000 GALLONS PER MINUTE FROM HYDRANT LOCATED WITHIN 250 FEET. EXISTING HYDRANT 1.590 G.P.M.
- THREE THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2019) AND DISTRICT ORDINANCES.
- DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM TO FIRE APPROVAL.
- SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE AND APPROVED BY FIRE AGENCY.
- BUILDING NUMBERS SHALL BE PROVIDED, NUMBERS SHALL BE A MINIMUM OF FOUR INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.
- INSTALL AN APPROVED SPARK ARRESTOR ON THE TOP OF CHIMNEYS, THE WIRE MESH SHALL NOT EXCEED 1/2 INCH.
- ROOF COVER SHALL BE NO LESS THAN CLASS "A" RATED ROOF.
- A 30-FOOT CLEARANCE WILL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OUT TO THE PROPERTY LINE WHICHEVER IS A SHORTER DISTANCE.
- THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
- FIRE HYDRANT SHALL BE PAINTED IN ACCORDANCE WITH THE STATE OF CALIFORNIA HEALTH AND SAFETY CODE. SEE JURISDICTION REQUIREMENTS.
- DRIVEWAY SHALL HAVE IN PLACE IN ACCORDANCE WITH THE STATE OF CALIFORNIA CONSTRUCTION SITE FIRE SAFETY ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION 51-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP.33.
- FOR ITS ENTIRE DURATION OF THE PROJECT, THE OWNER AND INSTALLER CERTIFY THAT THESE PLANS AND DETAILS COMPLY WITH APPLICABLE SPECIFICATIONS STANDARDS, CODES AND ORDINANCES, AGREE THAT THEY ARE SOLELY RESPONSIBLE FOR COMPLIANCE WITH SPECIFICATIONS, STANDARDS, CODES AND ORDINANCES, AND FURTHER AGREE TO CORRECT ANY DEFICIENCIES NOTED BY THIS REVIEW, SUBSEQUENT REVIEW, INSPECTION OR OTHER SOURCE, AND TO HOLD HARMLESS AND WITHOUT PREJUDICE, THE REVIEWER AND REVIEWING AGENCY.
- DRIVEWAY WILL BE 14 FEET WIDE WITH A MAXIMUM SLOPE OF 8% WITH A SOIL COMPACTION OF 95% DRIVEWAY. SEE SITE PLAN FOR DRIVEWAY.
- CONSTRUCTION SITE FIRE SAFETY ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION 51-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP.33.

EROSION CONTROL:

- NO LAND CLEARING, GRADING, OR EXCAVATION SHALL BE DONE BETWEEN OCTOBER 1ST AND APRIL 15TH, UNLESS AN EROSION CONTROL PLAN IS SUBMITTED AND APPROVED BY A SEPARATE INTER AGENCY COMMITTEE PLAN BY ENVIRONMENTAL PLANNING PRIOR TO BEGINNING SUCH CONSTRUCTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING SITE EROSION CONTROL AT ALL TIMES.
- UNDESIRABLE GRADING AND DISTRIBUTION OF SOIL SHALL BE AVOIDED.
- BETWEEN OCTOBER 1ST AND APRIL 15TH, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. HAY BALES, FILTER BERMES, SILT FENCES OR OTHER MEANS SHALL BE EMPLOYED TO PREVENT SEDIMENT FROM LEAVING THE SITE OR ENTERING ANY WATERCOURSE.
- DURING CONSTRUCTION, NO TURBED WATER SHALL BE PERMITTED TO ENTER THE CHANNEL OR STORM DRAIN SYSTEM. USE OF SILT AND GRADE TRAPS, FILTER BERMS, HAY BALES OR SILT FENCES SHALL BE USED TO PREVENT SUCH DISCHARGE.
- ALL AREAS ON- AND OFF-SITE EXPOSED DURING CONSTRUCTION ACTIVITIES, IF NOT PERMANENTLY LANDSCAPED PER PLAN, SHALL BE PROTECTED BY MULCHING AND/OR PLANTING OF THE FOLLOWING SOIL APPROVED EROSION CONTROL MAT AT A RATE OF 35 LBS. PER ACRE:

BLANDINO BROME	50%
ROSE CLOVER (PELLET INOCULATED)	50%
CREEPING RED FESCUE	15%
ZORRO ANNUAL FESCUE	15%
WILDFLOWERS	TRACE
- ALL EXCAVATED MATERIAL SHALL BE REMOVED TO AN APPROVED S.C. COUNTY DISPOSAL SITE OR DISPOSED OF ON-SITE IN A MANNER THAT WILL NOT CAUSE EROSION.
- ANY MATERIAL STOCKPILED ON-SITE SHALL BE COVERED WITH PLASTIC, ESPECIALLY DURING THE WINTER MONTHS OR DURING PERIODS OF RAIN.
- NO CONSTRUCTION OF CONSTRUCTION, ALL REMAINING EXPOSED SOILS SHALL BE PERMANENTLY REVEGETATED PER LANDSCAPE PLAN.
- EXPOSED SOIL ON SLOPES GREATER THAN 20% SHALL BE SEEDDED, COVERED WITH 2 INCHES OF STRAW, AND AN EROSION CONTROL BLANKET. THE EROSION CONTROL BLANKET SHALL BE STAKED IN PLACE.
- IT IS THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ADDITIONAL MEASURES NECESSARY TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF-SITE ARE IMPLEMENTED.
- ROOF AND SITE DRAINAGE TO PERCOLATE TO LOT AREA, UNLESS NOTED. DOWNSPOUTS TO SPLASHBLOCKS TO SURFACE DRAIN TO ESTABLISHED LANDSCAPE AREAS.



HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
ADN 036-082-073

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
7717 CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (408) 675-2816 FAX: (408) 675-2815



GENERAL NOTES

DRAWING NO. OAK523
DATE: 12/30/17
SHEET 1A



OWNER:
JIM & ANDREA HABING
7640 SANTA TERESA DR
GILROY CA 95020
408-710-1531

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
APN 035-082-03

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
717 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PH: 408-688-1111
WWW.DENNISNORTONPP.COM



SITE
PLAN

DRAWN: GG

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

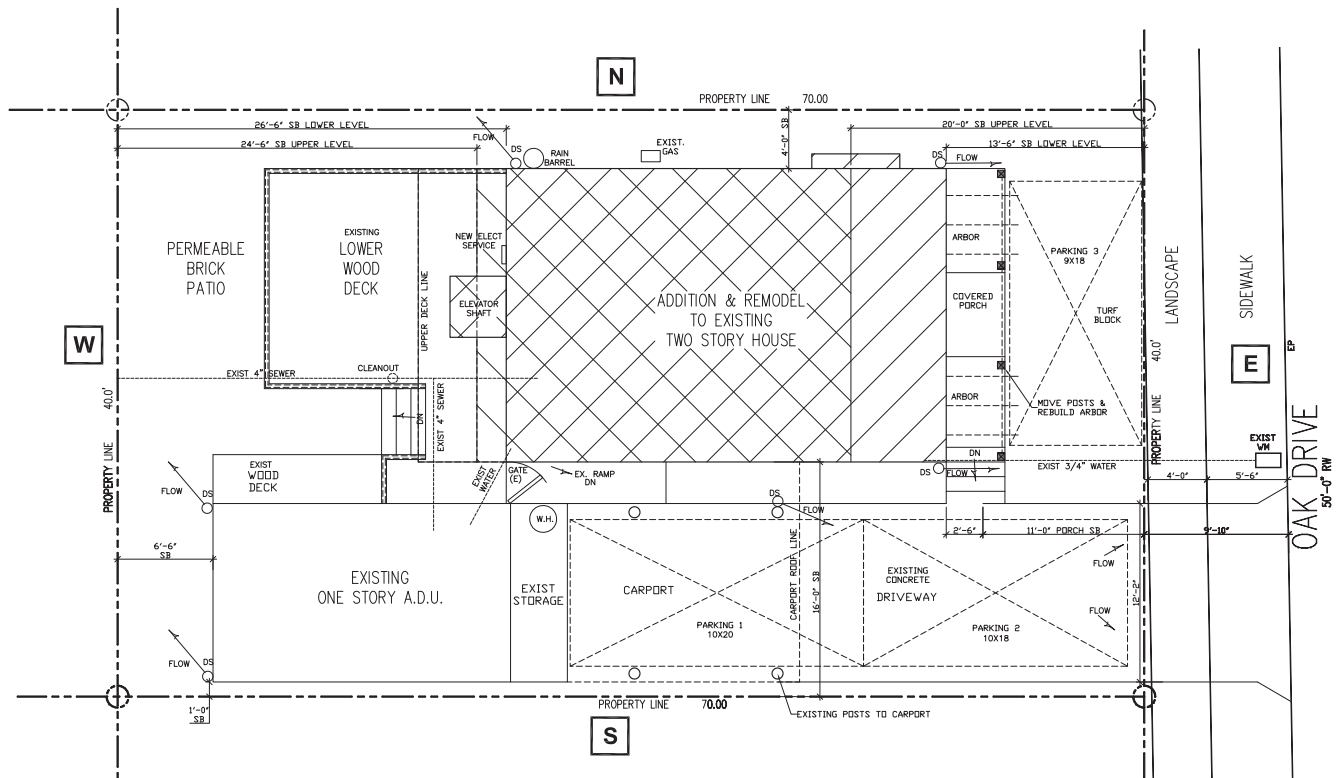
JOB NO. OAK523

DATE: 07/14/21

SHEET

2

OF # SHEETS



NOTE:
ALL WATER DRAINAGE TO
DISSIPATE INTO LANDSCAPE
AREAS

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

OWNER:
JIM & ANDEA HABING
7640 SANTA TERESA DR
GILROY CA 95020
408-710-1531

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
APN 035-082-03

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
1712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
TEL: 831-336-1111
WWW.DENNISNORTONPP.COM

PROPOSED
FLOORPLANS

DRAWN: GG

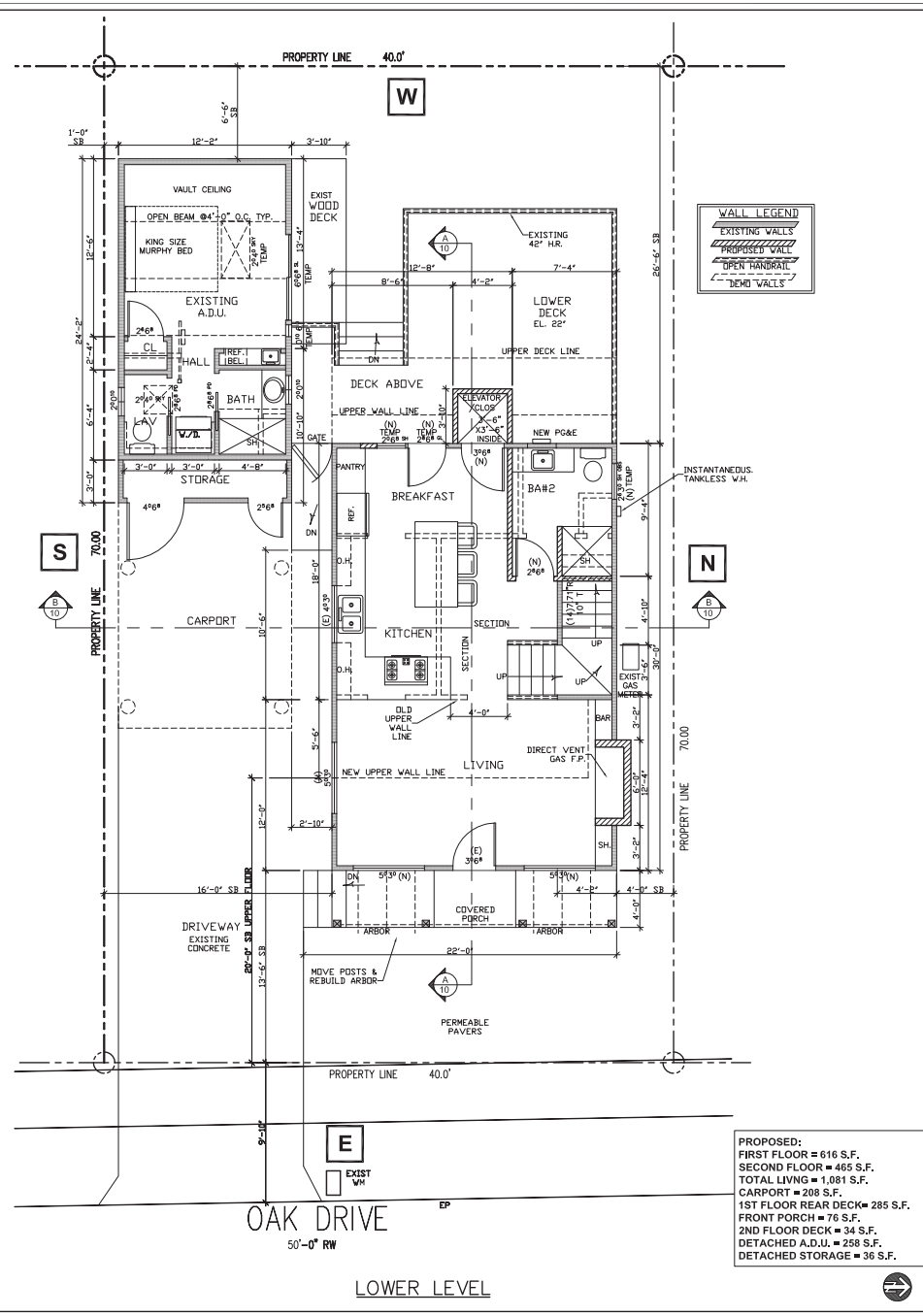
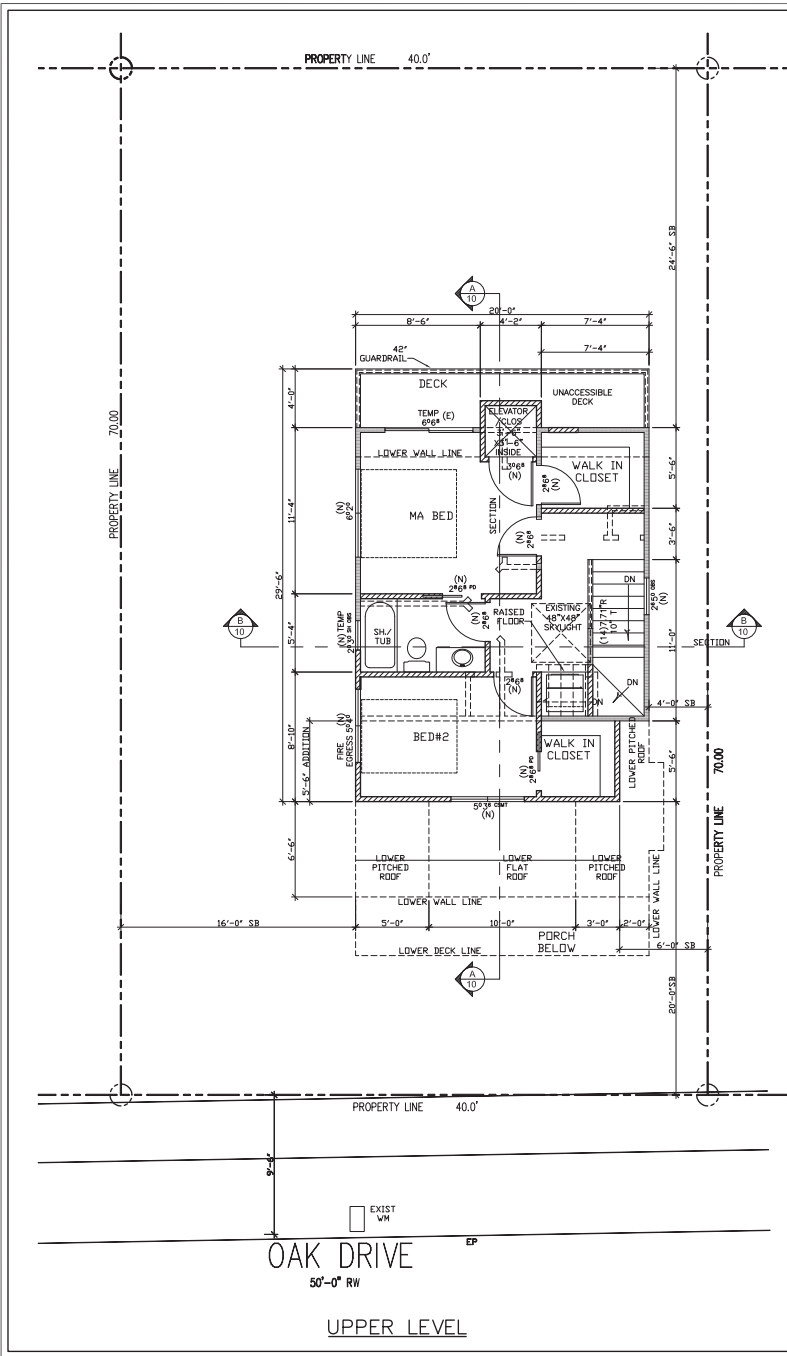
SCALE: 1/4" = 1'-0"
JOB NO. OAK523

DATE: 07/14/21

SHEET

4
OF # SHEETS

Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)



PROPOSED:
FIRST FLOOR = 616 S.F.
SECOND FLOOR = 465 S.F.
TOTAL LIVING = 1,081 S.F.
CARPORT = 208 S.F.
1ST FLOOR REAR DECK = 285 S.F.
FRONT PORCH = 76 S.F.
2ND FLOOR DECK = 34 S.F.
DETACHED A.D.U. = 258 S.F.
DETACHED STORAGE = 36 S.F.

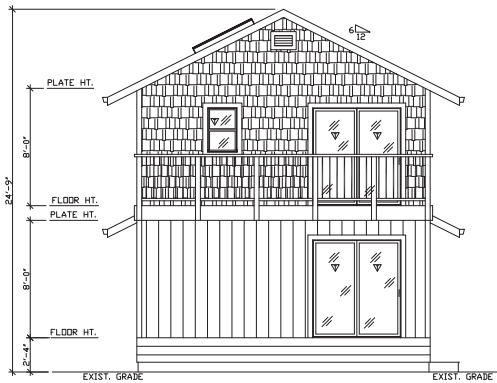
OWNER:
JIM & ANDREA HABI
7640 SANTA THERESA
GILROY CA 95020
408-710-1100

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
ADN 085-087-03

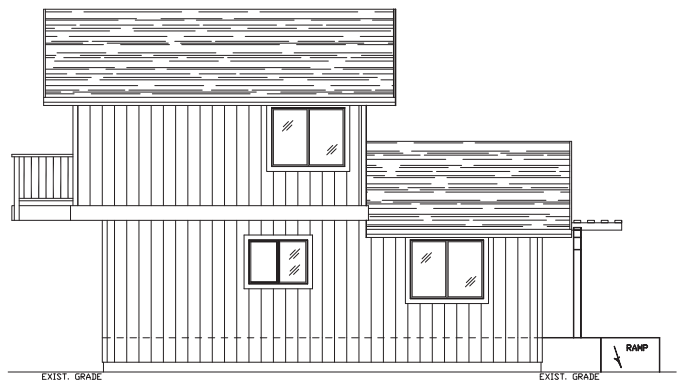
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (408) 471-2010 FAX: (408) 471-2010

ELEVATIONS
EXISTING

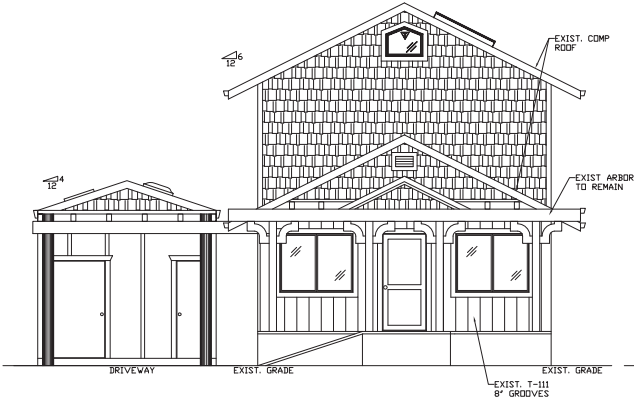
Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)



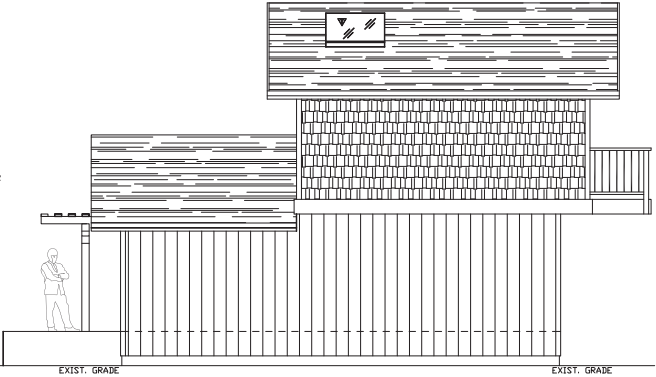
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

NOTE: ▽ = TEMPERED GLASS

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

DRAWN:	C
SCALE:	1/4"=1'-0"
JOB NO.:	OAK523
DATE:	08/12/16
SHEET:	5
OF #	SHEET

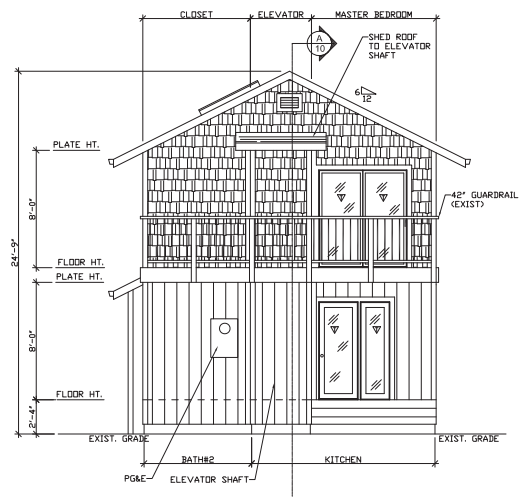
OWNER:
JIM & ANDREA HABI
7640 SANTA THERESA
GILROY CA 95020
408-710-1100

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
ADN 085-087-07

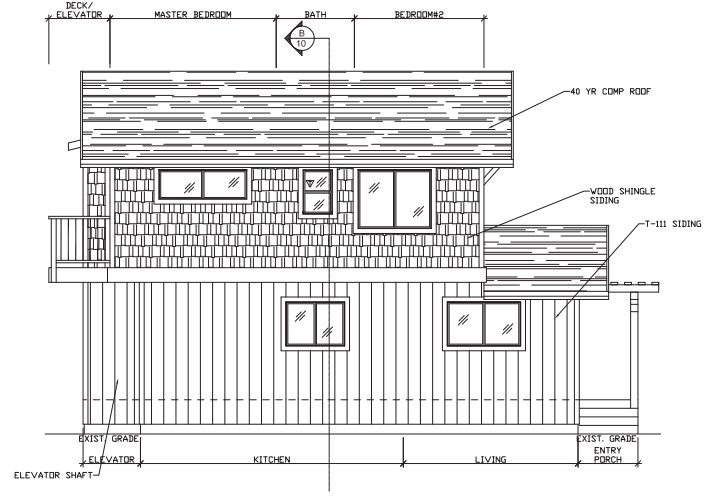
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (831) 675-2010 FAX: (831) 675-2010

ELEVATIONS
PROPOSED

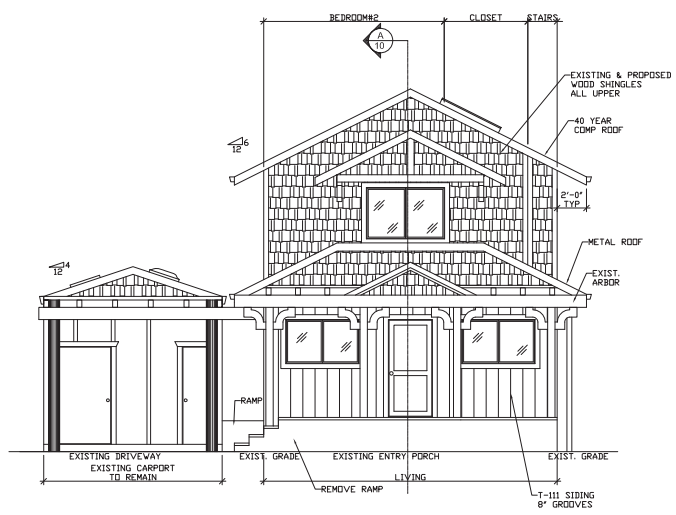
Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)



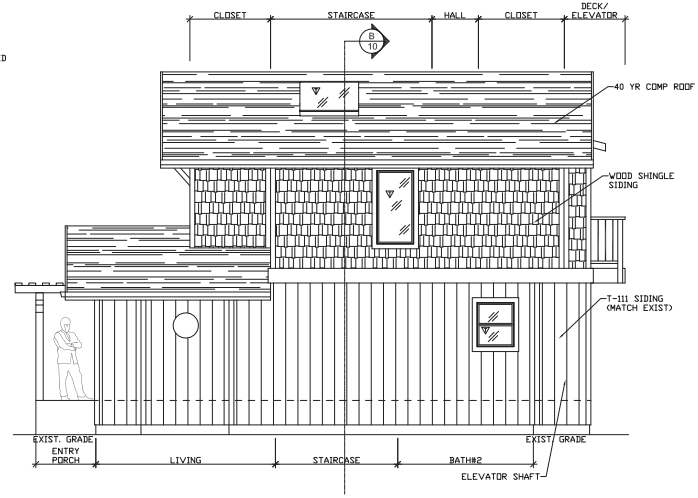
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

NOTE: = TEMPERED GLASS

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

DRAWN:	C
SCALE:	1/4"=1'-0"
JOB NO.:	OAK523
DATE:	08/12/2010
SHEET:	6
OF #	SHEET

OWNER:
JIM & ANDREA HABI
7640 SANTA THERESA
GILROY CA 95020
408-710-1111

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
ADN 075-087-07

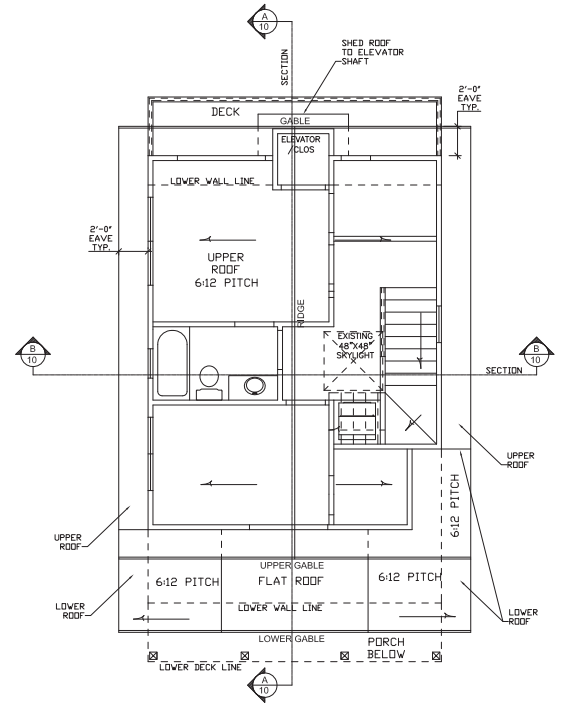
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: (408) 471-2010 FAX: (408) 471-2010



ROOF
PLAN

DRAWN:	C
SCALE:	1/4" = 1'-0"
JOB NO.:	OAK523
DATE:	07/12/12
SHEET	8
OF #	SHEET

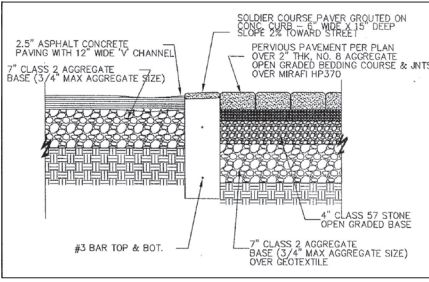
Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)



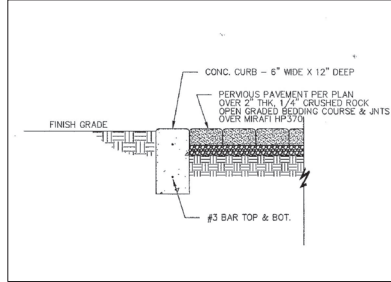
NOTE:
ALL ROOF DRAINAGE
DOWNSPOUTS TO SPASHBLOCKS
TO VEGETATED AREAS

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

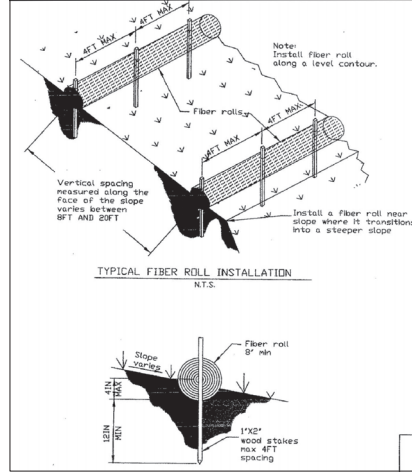
1 SEMI-PERMEABLE PAVERS (DRIVEWAY)



2 SEMI-PERMEABLE PAVERS (PATIOS & WALKWAYS)



3 FIBER ROLL



5 TREE PROTECTION PLAN

TREE PROTECTION NOTES:

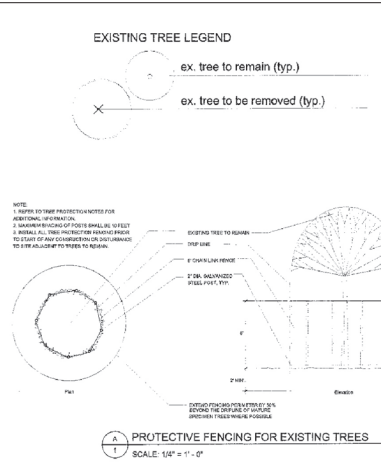
1. Prior to initiating any construction activity in the area, including grading, temporary fencing shall be installed at each site tree. Fencing shall be located at or beyond the canopy drip line so that 100% of the drip line will be protected by fencing. To reduce soil compaction from equipment, a minimum of 1.2 inch root wood piles shall be placed at a depth of 4 feet where no excavation is to occur on the property if the trees to be protected.
2. The tree protection fence shall be 6' high chain-link with immovable posts. The fencing shall form a continuous barrier without entry points secured each way. Any encroachment into the drip line for loading or construction purposes shall not be permitted.
3. Low hanging limbs or canopy trees shall be pruned prior to grading, or any equipment mobilization on site. The purpose of this requirement is to avoid snagging limbs by heavy equipment. All site tree pruning shall be supervised by the arborist of record for the job.
4. This fencing shall serve as a barrier to prevent drip line encroachment of any type of construction activities and equipment. No oils, gas, electrical liquid waste, wild waste, construction machinery or construction materials shall be stored or allowed to stand for any period of time within the drip line of the tree. Further, no soil shall enter the fence perimeter for any reason except for the purpose of maintaining the health of the tree. Accidental damage to bark, root zones, or trunks may increase the potential for future decline in the health of the tree.
5. Contractors and subcontractors shall direct all equipment and personnel to remain outside the fenced area and at all times until the project is complete, and shall instruct employees as to the purpose and importance of fencing.
6. A warning sign shall be posted at each tree indicating the purpose of the fencing.

EXISTING TREE LEGEND

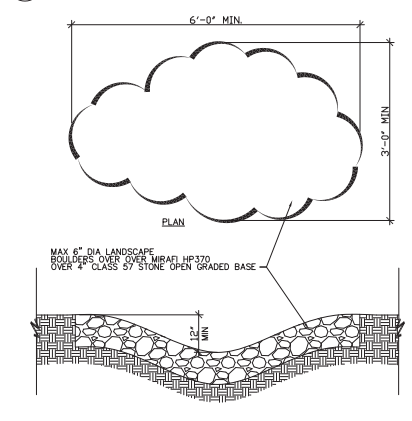
- ex. tree to remain (typ.)
- ex. tree to be removed (typ.)

PROTECTIVE FENCING FOR EXISTING TREES

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



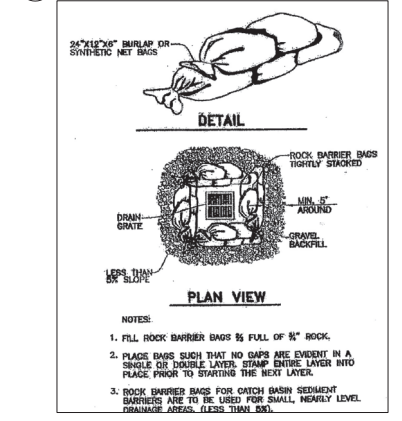
6 BIOSWALE



4 CONSTRUCTION ENTRANCE



7 STORM DRAIN INLET PROTECTION



8 SITE HOUSEKEEPING REQUIREMENTS: CONSTRUCTION MATERIALS

ALL LOOSE STOCKPILED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOILS, SPILLS, AGGREGATE, FL-ASH, STUCCO, HYDRATED LIME, ETC.) SHALL BE COVERED AND BEMED.

ALL CHEMICALS SHALL BE STORED IN WATER TIGHT CONTAINERS (WITH APPROPRIATE SECONDARY CONTAINMENT TO PREVENT SPILLAGE OR LEAKAGE) OR IN A STORAGE SHED (COMPLETELY ENCLOSED).

EXPOSURE OF CONSTRUCTION MATERIALS TO PRECIPITATION SHALL BE MINIMIZED. THIS DOES NOT INCLUDE MATERIALS AND EQUIPMENT THAT ARE DESIGNATED TO BE OUTDOORS AND EXPOSED TO ENVIRONMENTAL CONDITIONS (I.E. POLES, EQUIPMENT PADS, CABINETS, CONDUCTORS, INSULATORS, BRICKS, ETC.).

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

9 SITE HOUSEKEEPING REQUIREMENTS: WASTE MANAGEMENT

DISPOSAL OF ANY RINSE OR WASH WATER OR MATERIALS ON IMPERVIOUS OR PERVIOUS SITE SURFACES OR INTO THE STORM DRAIN SYSTEM SHALL BE PREVENTED.

SANITATION FACILITIES SHALL BE CONTAINED (E.G., PORTABLE TOILETS) TO PREVENT DISCHARGES OF POLLUTANTS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER, AND SHALL BE LOCATED A MINIMUM OF 20 FEET AWAY FROM AN INLET, STREET OR DRIVEWAY, STREAM, RIPARIAN AREA OR OTHER DRAINAGE FACILITY.

SANITATION FACILITIES SHALL BE INSPECTED REGULARLY FOR LEAKS AND SPILLS AND CLEANED OR REPLACED AS NECESSARY.

COVER WASTE DISPOSAL CONTAINERS AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT.

DISCHARGES FROM WASTE DISPOSAL CONTAINERS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER SHALL BE PREVENTED.

STOCKPILED WASTE MATERIAL SHALL BE CONTAINED AND SECURELY PROTECTED FROM WIND AND RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.

PROCEDURES THAT EFFECTIVELY ADDRESS HAZARDOUS AND NON-HAZARDOUS SPILLS SHALL BE IMPLEMENTED.

EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT SPILLS AND LEAKS SHALL BE CLEANED UP IMMEDIATELY AND DISPOSED OF PROPERLY.

CONCRETE WASHOUT AREAS AND OTHER WASHOUT AREAS THAT MAY CONTAIN ADDITIONAL POLLUTANTS SHALL BE CONTAINED SO THERE IS NO DISCHARGE INTO THE UNDERLYING SOIL AND ONTO THE SURROUNDING AREAS.

10 SITE HOUSEKEEPING REQUIREMENTS: VEHICLE STORAGE & MAINTENANCE AND LANDSCAPE MATERIALS

MEASURES SHALL BE TAKEN TO PREVENT OIL, GREASE, OR FUEL TO LEAK IN TO THE GROUND, STORM DRAINS OR SURFACE WATERS.

ALL EQUIPMENT OR VEHICLES, WHICH ARE TO BE MAINTAINED AND STORED ON SITE SHALL BE IN A DESIGNATED AREA FITTED WITH APPLIED BUMPERS.

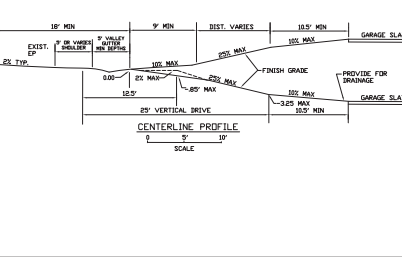
LEAKS SHALL BE IMMEDIATELY CLEANED AND LEAKED MATERIALS SHALL BE DISPOSED OF PROPERLY. CONTAIN STOCKPILED MATERIALS SUCH AS MULCHES AND TOPSOIL WHEN THEY ARE NOT ACTIVELY BEING USED.

CONTAIN FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHEN THEY ARE NOT ACTIVELY BEING USED. DISCONTINUE THE APPLICATION OF ANY ERODIBLE LANDSCAPE MATERIAL WITHIN 2 DAYS BEFORE A FORECASTED RAIN EVENT OR DURING PERIODS OF PRECIPITATION.

APPLY ERODIBLE LANDSCAPE MATERIAL AT QUANTITIES AND APPLICATION RATES ACCORDING TO MANUFACTURE RECOMMENDATIONS OR BASED ON WRITTEN SPECIFICATIONS BY KNOWLEDGEABLE AND EXPERIENCED FIELD PERSONNEL.

STACK ERODIBLE LANDSCAPE MATERIAL ON PALLETS AND COVERING OR STORING SUCH MATERIALS WHEN NOT BEING USED OR APPLIED.

11 TYPICAL DRIVEWAY



4.B.1

OWNER:
JIM & ANDREA HABING
7640 SANTA TERESA DR
GILROY CA 95020
408-710-1531

HABING RESIDENCE
523 OAK DRIVE
CAPITOLA, CA 95010
APN 035-082-03

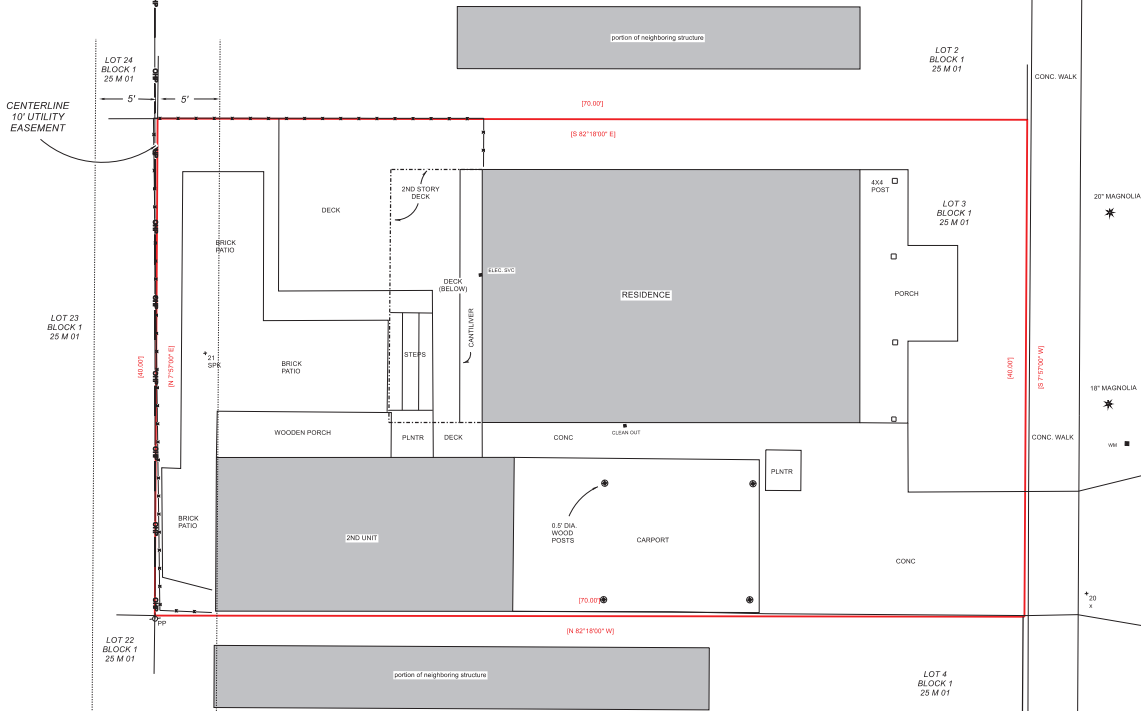
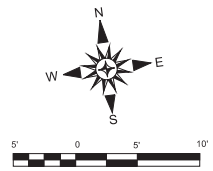
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
1712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
WWW.DENNISNORTON.COM

SITE PLANNING
DETAILS

DRAWN: GG
SCALE: N/A
JOB NO. OAK523
DATE: 01/20/21
SHEET 9 OF 9 SHEETS

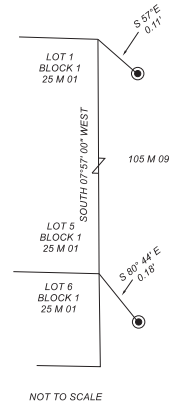
Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)

- LEGEND**
- = PROPERTY LINES
 - = ADJOINING PROPERTY LINES
 - (N XX'XXXX" W) = RECORD DATA
 - = FOUND MONUMENT AS NOTED



**OAK DR.
(50' WIDE)**

BASIS OF BEARING
THE BEARING SOUTH 07°57' WEST CALCULATED BETWEEN MONUMENTS FOUND AS SHOWN BELOW WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.



NOT TO SCALE

REFERENCES

- DOC. # 2020-0020632
- 105 M 09
- 25 M 01

NOTE

THIS IS NOT A BOUNDARY SURVEY. THE PROPERTY LINES SHOWN ARE DRAWN FROM RECORD DATA AND MAY BE FOUND TO BE DIFFERENT PENDING THE RESULTS OF A FULL BOUNDARY SURVEY.

**PAUL JENSEN
PROFESSIONAL LAND SURVEYOR
SANTA CRUZ, CALIFORNIA**

SCALE 1" = 5'

DECEMBER, 2020
JANUARY, 2021

**SITE MAP
OF THE LANDS OF
JAMES F. HABING
&
ANDREA JW HABING,
TRUSTEES OF THE HABING FAMILY TRUST DATED
FEBRUARY 3, 2016**

523 OAK DRIVE
CAPITOLA, CA. 95010

DOC. # 2020-0020632
APN # 035-082-03

Attachment: 523 Oak Drive - Plan Set (523 Oak Drive)

CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

Existing Building Costs:

Existing Residence:	1000 square feet	=	\$ 200,000.00
	\$ 200.00 square foot		
Existing Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
Existing Deck:	200 square feet	=	\$ 5,000.00
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 205,000.00</u>
80% of Total Existing Value			\$ 164,000.00

New Construction Costs:

New Conditioned Space:	82 square feet	=	\$ 16,400.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	0 square feet	=	\$ -
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>\$ 16,400.00</u>

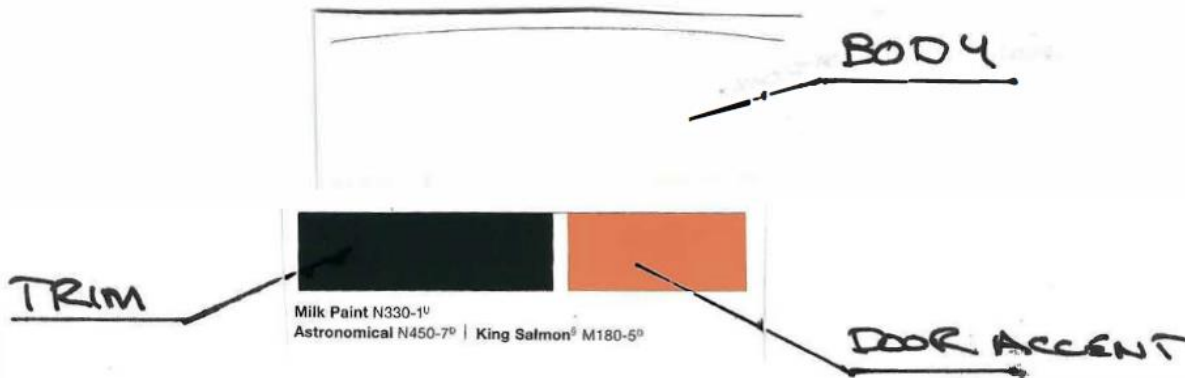
Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	530 square feet	=	\$ 53,000.00
	\$ 100.00 square foot		
Remodel Garage:	0 square feet	=	\$ -
	\$ 45.00 square foot		
Remodel Deck:	0 square feet	=	\$ -
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u>\$ 53,000.00</u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 69,400.00</u>
% of Existing Value			33.9%

Attachment: 523 Oak Drive - Construction Cost Breakdown (523 Oak Drive)

523 Oak Drive

Color board



WESTERN STATES METAL ROOFING



T-Groove[®] Flush Wall/Soffit Panel - 1" Deep
Shown in Black Zinc Matte[®]

Attachment: 523 Oak Drive - Colorboard (523 Oak Drive)

Design Permit Design Review Criteria

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: AUGUST 19, 2021

SUBJECT: **106 Sacramento Avenue #21-0259 APN: 036-143-09**

Accessory Dwelling Unit Permit for a new 1,183-square-foot two-story Accessory Dwelling Unit (ADU) for a single-family residence located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Michael & Meghan Morrissey

Representative: Danielle Grenier, Filed: 06.03.2021

APPLICANT PROPOSAL

The applicant is proposing to construct a new 1,183-square-foot two-story detached ADU for a single-family residence located at 106 Sacramento Avenue within the R-1 (Single-Family Residential) zoning district. The application complies with all development standards for ADUs in Capitola Municipal Code (CMC) §17.74.080.

BACKGROUND

On December 6, 2018, the Planning Commission approved design permit #18-0143 for a 764-square-foot addition that included a new second story to the existing one-story single-family residence at 106 Sacramento Avenue. The permit was not exercised within 24 months of the date of issuance, and therefore expired on December 21, 2020.

On May 13, 2020, the Building Department issued building permit #20190750 for a remodel of the existing one-story single-family residence that included a new roof, new doors, windows, plumbing, heat, electric systems, and interior and exterior finishes. This building permit is still active.

On June 3, 2021,, the City received an application for a new 1,183-square-foot two-story detached ADU which requires Planning Commission approval.

Development Standards

The following table outlines the zoning code requirements for ADUs in Capitola. The project complies with all applicable development standards.

Accessory Dwelling Unit (ADU) Development Standards

ADU Development Standards - CMC §17.74.080		
Unit Size, Maximum		
	Regulation	Proposed
	1,200 sq. ft.	1,183 sq. ft.
Building Height		
	Regulation	Proposed
	22 ft.	22 ft.
Yards		
	Regulation	Proposed
Front Yard 1st Story	15 ft.	80 ft. from edge of bluff
Front Yard 2nd Story	20 ft.	74 ft. from edge of bluff
Side Yard 1st Story - Exterior	4 ft.	4 ft.
Side Yard 2nd Story - Exterior	4 ft.	4 ft.
Rear Yard 1st Story	4 ft.	35 ft.
Rear Yard 2nd Story	4 ft.	35 ft.
Private Open Space, Minimum		
	Regulation	Proposed
	48 sq. ft.	150 sq. ft. (2 nd Story Deck)
Parking		
	Regulation	Proposed
	1 onsite parking space	1 covered parking space in garage

DISCUSSION

The existing residence at 106 Sacramento Avenue is a 3,943-square-foot, one-story, single-family residence. The applicant is proposing to construct a new, 1,183-square-foot, two-story detached ADU in the side setback of the primary residence adjacent to Sacramento Avenue. The property is located in the Depot Hill neighborhood along the coastal bluff and is surrounded by one- and two-story single-family residences.

The proposed design includes a combination of stucco and horizontal wood siding on both stories to match the primary residence. The first-story is a combined garage and utility room with sliding glass doors oriented toward the bluff and a garage door on the back accessed from the driveway. There is a second-story deck with powder coated steel posts and stainless-steel cable railings that faces the south towards the ocean.

Parking

The proposed 1,183-square-foot ADU requires one onsite parking space. The project provides one covered parking space in the first-story garage under the ADU.

Landscaping

The plan set for the proposed ADU includes a landscaping plan showing fruitless olive trees and other shrubs both on the property and in the public right of way adjacent to the property that provide for privacy and screening of adjacent properties across the street to the west. The proposed landscaping in the public right of way will require a minor revocable encroachment permit from the Public Works Department.

Objective Design Standards

Two-story ADUs are subject to the objective design standards in CMC §17.74.090. The objective design standards are included below with staff analysis.

- A. Entrance Orientation – Detached ADU. The primary entrance to a detached accessory dwelling unit shall face the front or interior of the parcel unless the accessory dwelling unit is directly accessible from an alley or a public street.

Staff Analysis: The primary entrance to the ADU faces the interior of the parcel.

- B. Privacy Impacts. To minimize privacy impacts on adjacent properties, the following requirements apply to walls with windows within eight feet of an interior side or rear property line abutting a residential use:
1. For a single-story wall or the first story of a two-story wall, privacy impacts shall be minimized by either:
 - a. A six-foot solid fence on the property line; or
 - b. Clerestory or opaque windows for all windows facing the adjacent property.
 2. For a second-story wall, all windows facing the adjacent property shall be clerestory or opaque.

Staff Analysis: Not applicable. The ADU is not within eight feet of an interior side or rear property line and it is not abutting a residential use.

- C. Second-Story Decks and Balconies. Second-story decks and balconies shall be located and designed to minimize privacy impacts on adjacent residential properties, as determined by the Planning Commission through the design permit approval process.

Staff Analysis: The proposed ADU is located within the exterior side yard of the parcel adjacent to a public street. The second-story deck is located on the south side of the structure facing the ocean. The nearest residential property is located approximately 50 feet away on the other side of Sacramento Avenue.

- D. Architectural Details. – The only architectural detail requirement in Table 17.74-2 that applies to detached ADUs is the requirement that the roof pitch be 4:12. However, if the primary dwelling has a roof pitch shallower than 4:12, the ADU roof pitch may match the primary dwelling.

Staff Analysis: The primary dwelling has a roof pitch of 1.5:12 and the ADU was designed with a roof pitch of 1.5:12 to match.

- E. Building Additions to Historic Structures. A building addition to a designated historic resource or potential historic resource as defined in Section 17.84.020 (Types of historic resources) for an attached accessory dwelling unit shall be inset or separated by a connector that is offset at least eighteen inches from the parallel side or rear building wall to distinguish it from the historic structure.

Staff Analysis: Not applicable.

Findings

A detached ADU may be a maximum of 22 feet in height. However, in order to approve a design permit for a two-story attached or detached ADU greater than 16 feet in height, the

Planning Commission must make the findings in CMC §17.74.110. These findings are listed below followed by staff analysis.

1. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.

Staff Analysis: The proposed ADU utilizes a combination of stucco and wood siding with colors similar to the primary dwelling and has an identical 1.25/12 roof pitch. The exterior design is compatible with the primary dwelling on the parcel.

2. The exterior design is in harmony with, and maintains the scale of, the neighborhood.

Staff Analysis: The proposed ADU utilizes materials and a two-story building form common throughout Depot Hill. Also, the ADU complies with the 22-foot maximum ADU height limit and is well within the zone height limit of 25. Therefore, the exterior design is in harmony with, and maintains the scale of the Depot Hill neighborhood.

3. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.

Staff Analysis: Even with the proposed ADU, the structures on the large parcel are well below the maximum floor area ratio (FAR) of the lot and a parking space for the ADU is provided in the garage on the first story of the ADU. The ADU has a studio configuration of one combined bedroom and living space, and a garage. The ADU will not create excessive noise, traffic, or parking congestion.

4. The accessory dwelling unit has or will have access to adequate water and sewer service as determined by the applicable service provider.

Staff Analysis: The proposed ADU is located on a developed lot in a residential neighborhood with adequate water and sewer service.

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

Staff Analysis: The property is extremely large with a blufftop area of approximately 19,000 square feet and includes usable open space for the ADU and primary residence. The landscape plan includes fruitless olive trees and other shrubs both on the property and in the public right of way adjacent to the property that provide for privacy and screening of adjacent properties.

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

Staff Analysis: The proposed ADU is located along the street side yard. The nearest residential property is located approximately 50 feet way on the other side of Sacramento Avenue to the west. The location and design of the proposed ADU

maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.

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

Staff Analysis: The external staircase to the proposed second-story ADU faces the interior of the lot and the primary residence and the entry door to the ADU is on the south side of the second story facing the ocean. There are no windows that impact the privacy of the neighboring side or rear yards. The design of the ADU, with siding materials similar to the primary residence and similar roof pitch, complements the design of the primary residence and does not visually dominate it or the surrounding properties.

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

Staff Analysis: The location of the proposed ADU complies with the development standards in CMC §17.74.080 and is located outside the 50-year geologic hazard setback from the coastal bluff, so the proposed site plan is consistent with the physical development policies of the general plan and zoning code and will not have adverse impacts on coastal resources.

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

Staff Analysis: There is a public viewpoint at the end of Sacramento Avenue, but the seaward most point of the proposed ADU is located approximately 74 feet from the edge of the coastal bluff, so the project would not impair public views along the ocean or of scenic coastal areas.

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

Staff Analysis: Not applicable. The project does not include deviations.

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission consider application #21-0259 and approve the application with the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a new, 1,183-square-foot, two-story Accessory Dwelling Unit (ADU) for a single-family residence. The project is compliant with the development standards in CMC Chapter 17.74. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 19, 2021, 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 landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. 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.
8. 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.
9. 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).
10. 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.

11. 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.
12. 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
13. 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.
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 17.156.080.
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. Before obtaining a building permit for an accessory 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 accessory dwelling unit may not be used for vacation rentals; and
 - b. The secondary dwelling unit shall not be sold separately from the primary dwelling.

ACCESSORY DWELLING UNIT DESIGN PERMIT FINDINGS

- A. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.**

The proposed ADU utilizes a combination of stucco and wood siding with colors similar to the primary dwelling and has an identical 1.25/12 roof pitch. The exterior design is compatible with the primary dwelling on the parcel.

B. The exterior design is in harmony with, and maintains the scale of, the neighborhood.

The proposed ADU utilizes materials and a two-story building form common throughout Depot Hill. Also, the ADU complies with the 22-foot maximum ADU height limit and is well within the zone height limit of 25. Therefore, the exterior design is in harmony with, and maintains the scale of the Depot Hill neighborhood.

C. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.

Even with the proposed ADU, the structures on the large parcel are well below the maximum floor area ratio (FAR) of the lot and a parking space for the ADU is provided in the garage on the first story of the ADU. The ADU has a studio configuration of one combined bedroom and living space, and a garage. The ADU will not create excessive noise, traffic, or parking congestion.

D. The accessory dwelling unit has or will have access to adequate water and sewer service as determined by the applicable service provider.

The proposed ADU is located on a developed lot in a residential neighborhood with adequate water and sewer service.

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

The property is extremely large with a blufftop area of approximately 19,000 square feet and includes usable open space for the ADU and primary residence. The landscape plan includes fruitless olive trees and other shrubs both on the property and in the public right of way adjacent to the property that provide for privacy and screening of adjacent properties.

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

The proposed ADU is located along the street side yard. The nearest residential property is located approximately 50 feet way on the other side of Sacramento Avenue to the west. The location and design of the proposed ADU maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.

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

The external staircase to the proposed second-story ADU faces the interior of the lot and the primary residence and the entry door to the ADU is on the south side of the second story facing the ocean. There are no windows that impact the privacy of the neighboring side or rear yards. The design of the ADU, with siding materials similar to the primary residence and similar roof pitch, complements the design of the primary residence and does not visually dominate it or the surrounding properties.

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

The location of the proposed ADU complies with the development standards in CMC §17.74.080 and is located outside the 50-year geologic hazard setback from the coastal bluff, so the proposed site plan is consistent with the physical development policies of the general plan and zoning code and will not have adverse impacts on coastal resources.

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

There is a public viewpoint at the end of Sacramento Avenue, but the seaward most point of the proposed ADU is located approximately 74 feet from the edge of the coastal bluff, so the project would not impair public views along the ocean or of scenic coastal areas.

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

Not applicable. The project does not include deviations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

- A. 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. The project involves the construction of a second dwelling unit in a residential zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

- 1. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;

- c. A description of the legitimate governmental interest furthered by any access conditioned required;
- d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

- 2. Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**
- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 106 Sacramento Avenue. The ADU is not located in an area with coastal access. The ADU 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 Sacramento Avenue. The project is located along a coastal bluff above the shoreline and beach. There is a public viewpoint at the end of Sacramento Avenue, but the seaward most point of the proposed ADU is located approximately 74 feet from the edge of the coastal bluff, so the project would not impair public views along the ocean or of scenic coastal areas.
- 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 Sacramento 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.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported**

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

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

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

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

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

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

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

SEC. 30222

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

- The project involves a new two-story 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 a new two-story 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 a new two-story accessory 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 new two-story 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.

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. There is a public viewpoint at the end of Sacramento Avenue, but the seaward most point of the proposed ADU is located approximately 74 feet from the edge of the coastal bluff, so the project would not impair public views along the ocean or of scenic coastal areas. 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 0.7 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 new two-story 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.

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 (Single-Family Residential) zoning district.

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

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

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

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

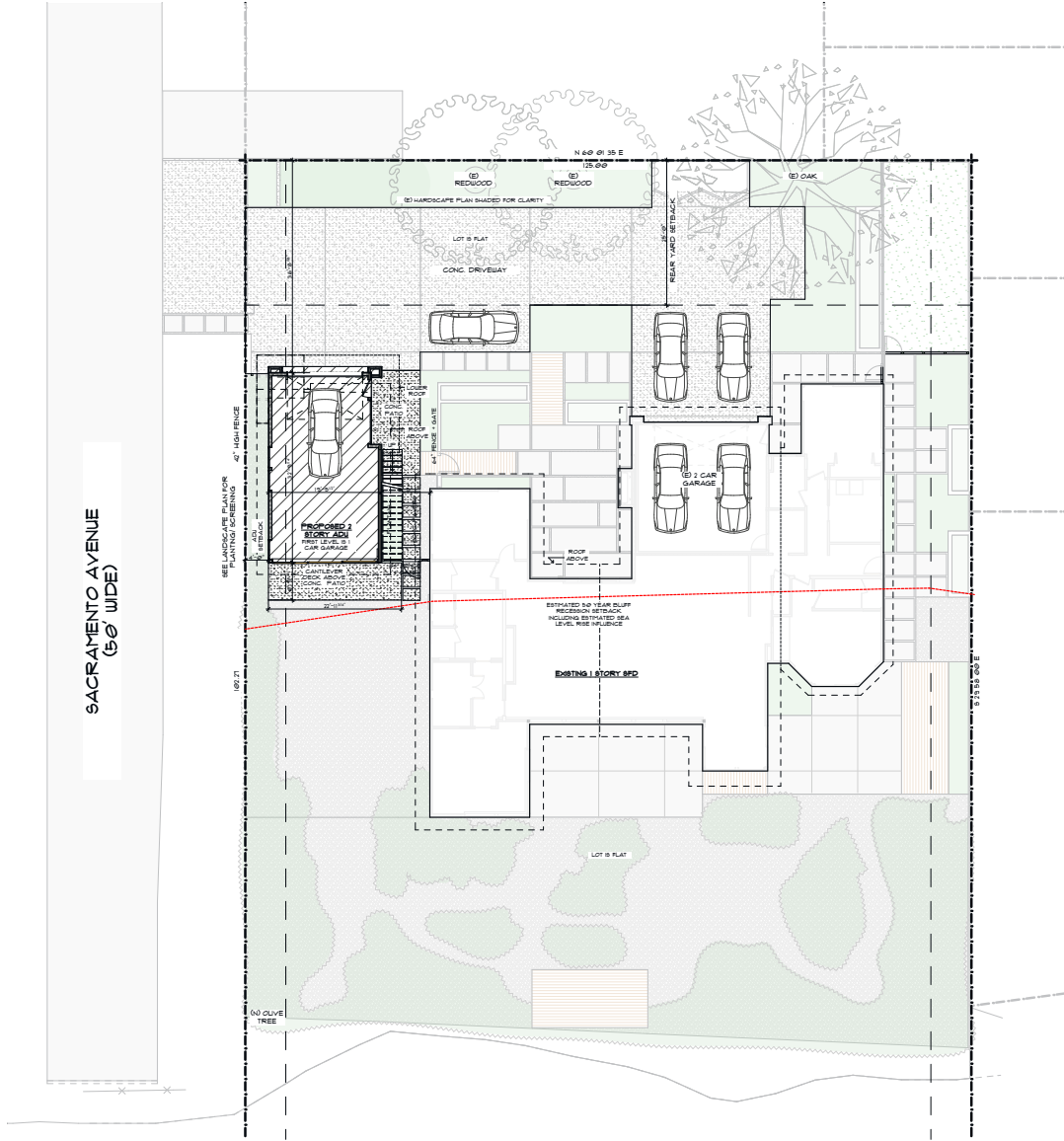
1. 106 Sacramento Avenue - Plan Set - Letter
2. 106 Sacramento Avenue - Landscape Plan
3. 106 Sacramento Avenue - Color and Materials Board

Prepared By: Sean Sesanto

TABLE OF CONTENTS

- A1 COVER SHEET + SITE PLAN
- A2 PROPOSED ADU PLAN + ELEVATION
- TP-1 SURVEY
- CI SITE DRAINAGE IMPROVEMENT PLAN
- LI ADU PLANTING PLAN

MADDALEY REMODEL
 8070 Soquel Drive
 Aptos, CA 95003
 133
 422
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 other
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 on the



SACRAMENTO AVENUE
(50' WIDE)

1 ADU SITE PLAN
SCALE: 1" = 10'

PROJECT DESCRIPTION

CONSTRUCT 2 STORY ADU. LOWER LEVEL GARAGE + UPPER LEVEL STUDIO W/ CANTILEVERED DECK.

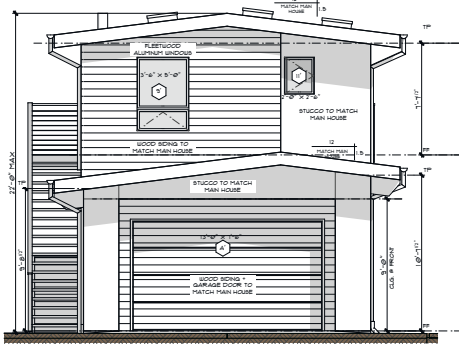
PROJECT DATA

ZONING	RH
OCCUPANCY	R-3/ U
CONSTRUCTION TYPE	V-B
SITE AREA:	30,715 SQ.FT.
EXISTING HOME	
PROPOSED HABITABLE	3,109 SQ.FT.
PROPOSED GARAGE	501 SQ.FT.
TOTAL HOME COVERAGE	3,610 SQ.FT. (11.8%)
SHED	800 SQ.FT.
EXISTING LOT COVERAGE	3,710 SQ.FT. (12%)
PROPOSED ADU	
PROPOSED HABITABLE	561 SQ.FT.
PROPOSED GARAGE	616 SQ.FT.
PROPOSED TOTAL ADU	1,183 SQ.FT.
PROPOSED LOT COVERAGE	3710 + 616 = 4,326 SQ.FT. (14%)
SEWER:	SEWER
ADU HEIGHT MAX:	22FT.
GRADING:	NONE
FIRE SFRINKLERS:	NONE/ NOT REQ.
ADU SETBACKS:	
FRONT	20 FT.
SIDES	4 FT.
REAR	25 FT.

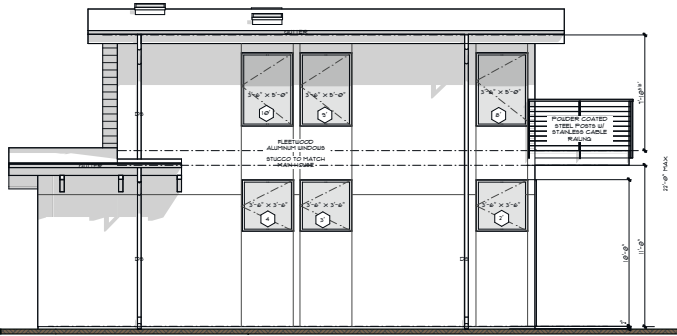
VICINITY MAP



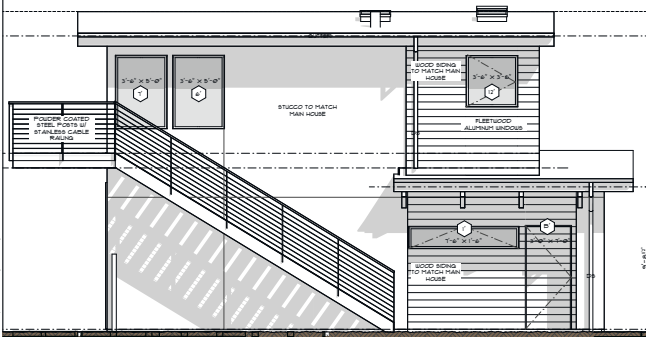
C:\Users\madda\OneDrive\Documents\madda\ADU_SitePlan\NEW\BDOE.dwg



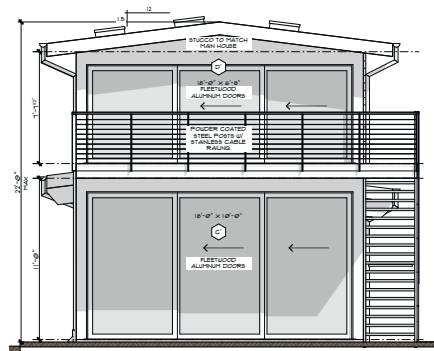
1 ADU NORTH ELEVATION
SCALE 1/4" = 1'-0"



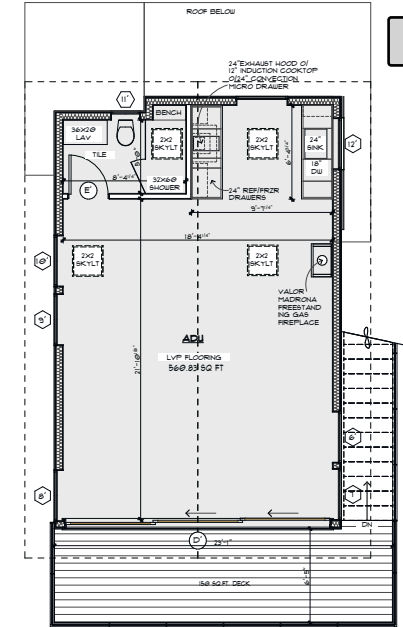
2 ADU WEST ELEVATION
SCALE 1/4" = 1'-0"



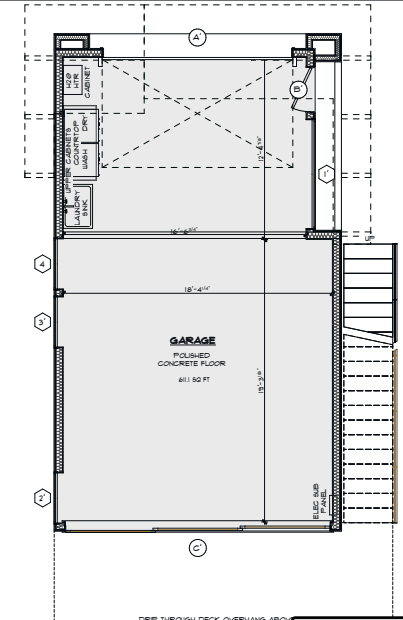
3 ADU EAST ELEVATION
SCALE 1/4" = 1'-0"



4 ADU SOUTH ELEVATION
SCALE 1/4" = 1'-0"



5 ADU SECOND LEVEL
SCALE 1/4" = 1'-0"



6 ADU FIRST LEVEL
SCALE 1/4" = 1'-0"

4.C.1

DRAWN • BUILT • REVIEWED
 8070 Soquel Drive
 Aptos, CA 95003
 133
 422

THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

MADDALEY DENMORE
 ARCHITECTS
 1700 N. 1ST ST.
 SACRAMENTO, CA 95811
 (916) 441-1111
 WWW.MADDALEYDENMORE.COM

Attachment: 106 Sacramento Avenue - Plan Set - Letter (106 Sacramento Avenue)
 APN: 036-143-03

SHEET NO. 4.C.1 OF 4.C.1

BASIS OF ELEVATIONS

THE BASIS OF ELEVATIONS FOR THIS MAP IS NAVD 1988 DATUM
 THE BENCHMARK DESIGNATION IS 2 212
 FID - 000227
 STATE/COUNTY CA/SANTA CRUZ
 IN QUARTONIA, AT THE INTERSECTION OF THE SOUTHERN PACIFIC RAILROAD AND
 NORTHERN AVENUE, 107.14 (354.0 FT) WEST OF THE CENTERLINE OF THE AVENUE, 7.8
 (24.0 FT) SOUTH OF THE MEAN SEA LEVEL, 103.3 (312.7 FT) NORTHERLY OF A TRUTH LIGHT
 POLE, LEVEL WITH THE TRACK, AND IN A CONCRETE MONUMENT THAT PROJECTS 0.2 M
 (0.7 FT) ABOVE THE GROUND SURFACE
 ELEVATION = 66.70' NAVD 88.

BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE NORTHWESTERN LINE OF PROSPECT AVENUE AS
 SHOWN ON THIS MAP FILED IN VOLUME 53 OF MAPS AT PAGE 93, SANTA CRUZ
 COUNTY RECORDS, AND ESTABLISHED BY MONUMENTS FOUND AS SHOWN
 = NORTH 89°52' EAST

BOUNDARY NOTE

BOUNDARY LINES DELINEATED ON THIS MAP ARE BASED ON THE SURVEYOR'S OPINION
 UTILIZING FOUND PHYSICAL EVIDENCE, RECORDED MAPS AND OTHER APPROPRIATE
 RECORDS AS SHOWN IN THE REFERENCE COORDINATE. NO LIABILITY IS ASSUMED BY
 BOWMAN AND WILLIAMS FOR THE EXISTENCE OF ANY EASEMENTS, ENCUMBRANCES,
 DISCREPANCIES IN BOUNDARY OR TITLE DEFECTS NOT MENTIONED IN SAID DOCUMENTS
 AND THEREFORE NOT SHOWN ON THIS DRAWING. A REQUESTED TITLE REPORT WAS NOT
 PROVIDED FOR THIS SURVEY.

THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS OF THE SITE AT THE TIME THE
 SURVEY FIELD WORK WAS COMPLETED AND SHOWS SURFACE OBJECTS ONLY.
 SUBSURFACE STRUCTURES, IF ANY, INCLUDING BUT NOT LIMITED TO FOUNDATIONS,
 PILING, UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN.

ABBREVIATIONS

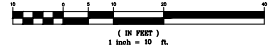
- AC ASPHALT
- CL CENTERLINE
- CLC CONC
- ELC ELEC
- FD FOUND
- FF FRESH FLOOR
- PH FIRE HYDRANT
- FL FLOORING
- PNC PINE
- GA GAS
- NO NOISE
- IN INVERT
- IP IRON PIPE
- JOINT JOINT UTILITY POLE
- MEAN MEAN HIGH WATER
- MLW MEAN LOWER LOW WATER
- OW OVERHEAD
- PMT PAVEMENT
- RECORD RECORD
- ST STREET
- SS SANITARY SEWER
- SSO SANITARY SEWER CLEANOUT
- WM WATER METER
- WV WATER VALVE

LEGEND

- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- X- FENCE LINE
- - - OLD PROPERTY LINE
- - - OVERHEAD UTILITY LINES
- - - PROPERTY LINE
- - - TOP OF CLIFF
- EDGE OF PAVEMENT
- FIRE HYDRANT
- FOUND MONUMENT AS NOTED
- (100) INDICATES RECORDED DATA 53-M-31
- 100 INDICATES MEASURED DATA
- JOINT UTILITY POLE
- HOSEBOX
- SPOT ELEVATION
- TREE AS NOTED
- WATER VALVE
- INDICATES AREA NOT SURVEYED
- INDICATES SLIDE DEBRIS FILE
- INDICATES OVERHANG OF BLUFF

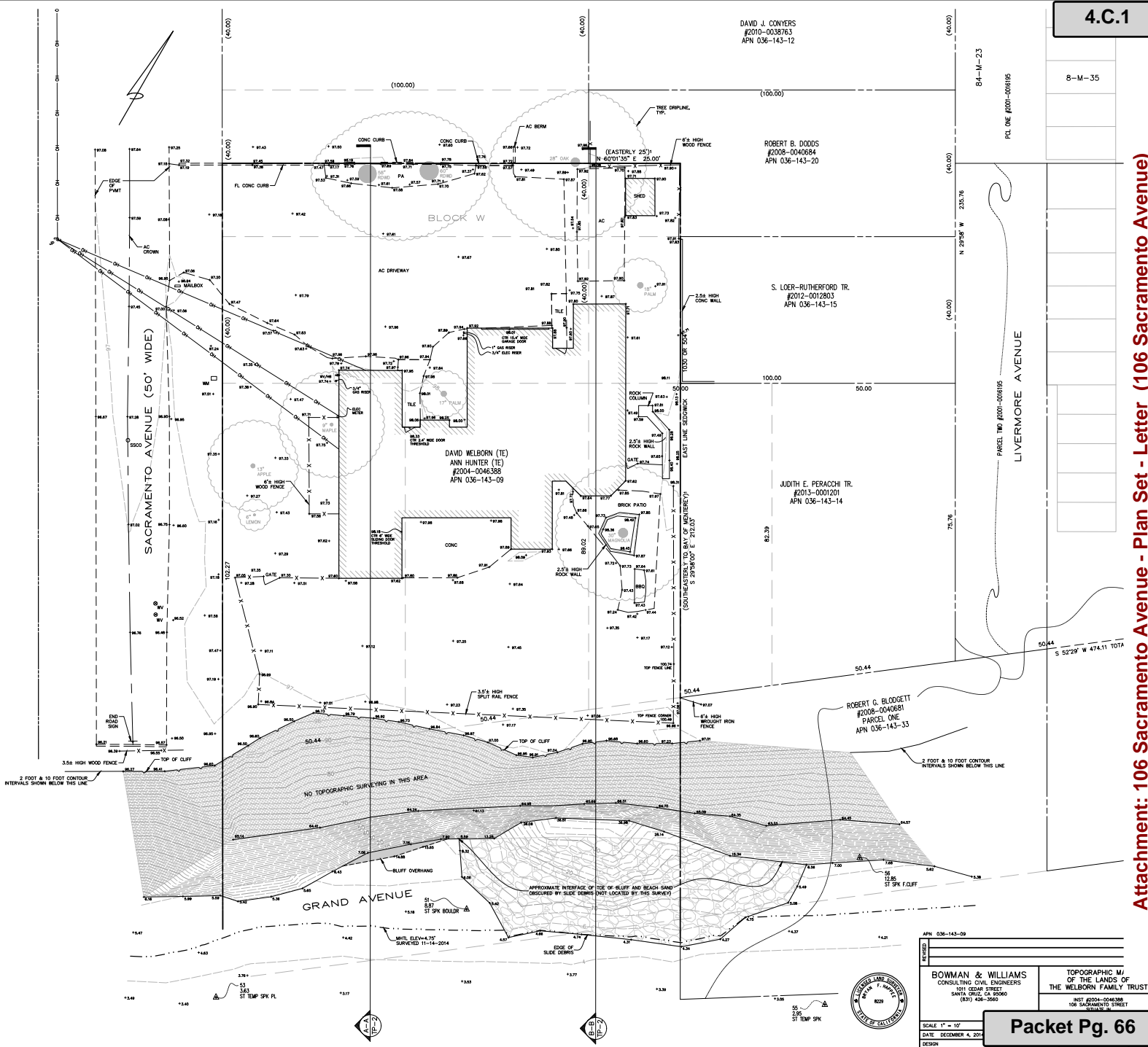
1 FOOT CONTOUR INTERVAL FOR THE LOT, 2 FOOT CONTOUR INTERVAL FOR THE BLUFF AND BEACH
 DISTANCES AND ELEVATIONS ARE SHOWN ON FEET AND DECIMALS THEREOF

GRAPHIC SCALE



UTILITY NOTE

UTILITY LOCATIONS ARE APPROXIMATE. UTILITIES SHOWN ON THIS MAP WERE DETERMINED FROM
 UTILITY COMPANY RECORDS, FROM SURFACE EVIDENCE OF UNDERGROUND LOCATIONS, AND AS
 DIRECTED BY OWNER OR ENTRY DURING A SURVEY BY BOWMAN AND WILLIAMS (DURING AND YEARS).
 IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF THESE UTILITIES
 PRIOR TO CONSTRUCTION AND TO NOTIFY THE PROJECT ENGINEER IN CASE OF CONTACT.
 CALL U.S.A. (UNDERGROUND SERVICE ALERT) (800) 642-2444 BEFORE ANY EXCAVATION.



DAVID J. CONYERS
 #2010-003763
 APN 036-143-12

ROBERT B. DODDS
 #2008-0040684
 APN 036-143-20

S. LOER-RUTHERFORD TR.
 #2012-0012803
 APN 036-143-15

JUDITH E. PERACCHI TR.
 #2013-0001201
 APN 036-143-14

ROBERT G. BLODGETT
 #2008-0040681
 PARCEL ONE
 APN 036-143-33

APN 036-143-09

BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS 1011 CEMEX STREET SANTA CRUZ, CA 95060 (831) 438-5000	TOPOGRAPHIC M/ OF THE LANDS OF THE WELBORN FAMILY TRUST
	INST #2004-0046388 FOR SACRAMENTO STREET SQUARE 3
	SCALE 1" = 10' DATE DECEMBER 4, 2014 DESIGN

Attachment: 106 Sacramento Avenue - Plan Set - Letter (106 Sacramento Avenue)

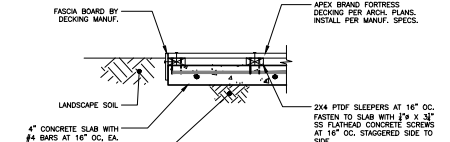
TECHNICAL SPECIFICATIONS

- GENERAL NOTES**
- ANY FEATURE OF CONSTRUCTION NOT FULLY SHOWN OR DETAILED SHALL BE OF THE SAME TYPE AS SHOWN ON THE PLANS FOR SIMILAR CONSTRUCTION.
 - ALL DIMENSIONS SHOWN ON THESE PLANS ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND NOTIFY THE ENGINEER IN THE EVENT OF A CONFLICT, PRIOR TO PROCEEDING WITH CONSTRUCTION.
 - ANY REQUEST FOR ALTERATIONS OR SUBSTITUTIONS MUST BE PRESENTED TO THE ENGINEER IN THE FORM OF A DETAILED SKETCH FOR REVIEW BEFORE AN APPROVAL WILL BE GIVEN AND BEFORE PROCEEDING WITH THE WORK. ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE CALTRANS STANDARD SPECIFICATIONS, CURRENT EDITION.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION AND TO NOTIFY THE ENGINEER IN THE EVENT OF A CONFLICT. THE CONTRACTOR SHALL SECURE ALL REQUIRED CONSTRUCTION PERMITS FROM THE CITY OF SANTA CRUZ BUILDING DEPARTMENT PRIOR TO THE START OF WORK.
 - THE CONTRACTOR SHALL NOTIFY THE CITY BUILDING INSPECTOR AT LEAST 48 HOURS BEFORE POURING ANY CONCRETE.

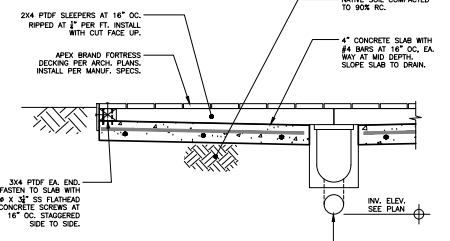
- CONCRETE**
- ALL CONCRETE WORK SHALL BE DONE IN CONFORMANCE WITH THE LATEST EDITION OF THE ACI BUILDING CODE AND THE LATEST EDITION OF THE MANUALS OF CONCRETE PRACTICE.
 - THE STRENGTH REQUIREMENT FOR ALL CONCRETE SHALL BE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 2500 PSI. THE USE OF ANY ADMIXTURE SHALL BE APPROVED BY THE ENGINEER.
 - THE MINIMUM AGGREGATE SIZE SHALL BE 3/4" NOM FOR PUMP DELIVERED CONCRETE.
 - REINFORCEMENT, ANCHOR BOLTS, SLEEVES, AND OTHER SUCH ITEMS TO BE CAST MONOLITHICALLY IN CONCRETE SHALL BE SECURELY FASTENED AND IN PLACE PRIOR TO PLACING THE CONCRETE.

- REINFORCING STEEL**
- REINFORCING STEEL SHALL COMPLY WITH ASTM A615, GRADE 40 FOR #4 AND SMALLER BARS, GRADE 60 FOR #5 AND LARGER BARS.
 - SPACE BARS 40 BAR DIAMETERS MINIMUM.
 - SUPPORTING DEVICES FOR THE REINFORCEMENT SHALL BE SPACED SUFFICIENTLY TO PROPERLY SUPPORT THE REINFORCEMENT AND PREVENT EXCESSIVE DEFLECTION THAT MAY RESULT IN IMPROPER BAR PLACEMENT.
 - THE FOLLOWING MINIMUM BAR COVERS SHALL BE MAINTAINED:
CONCRETE EXPOSED TO WATER OR MOISTURE 1 1/2 INCHES
CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH 3 INCHES

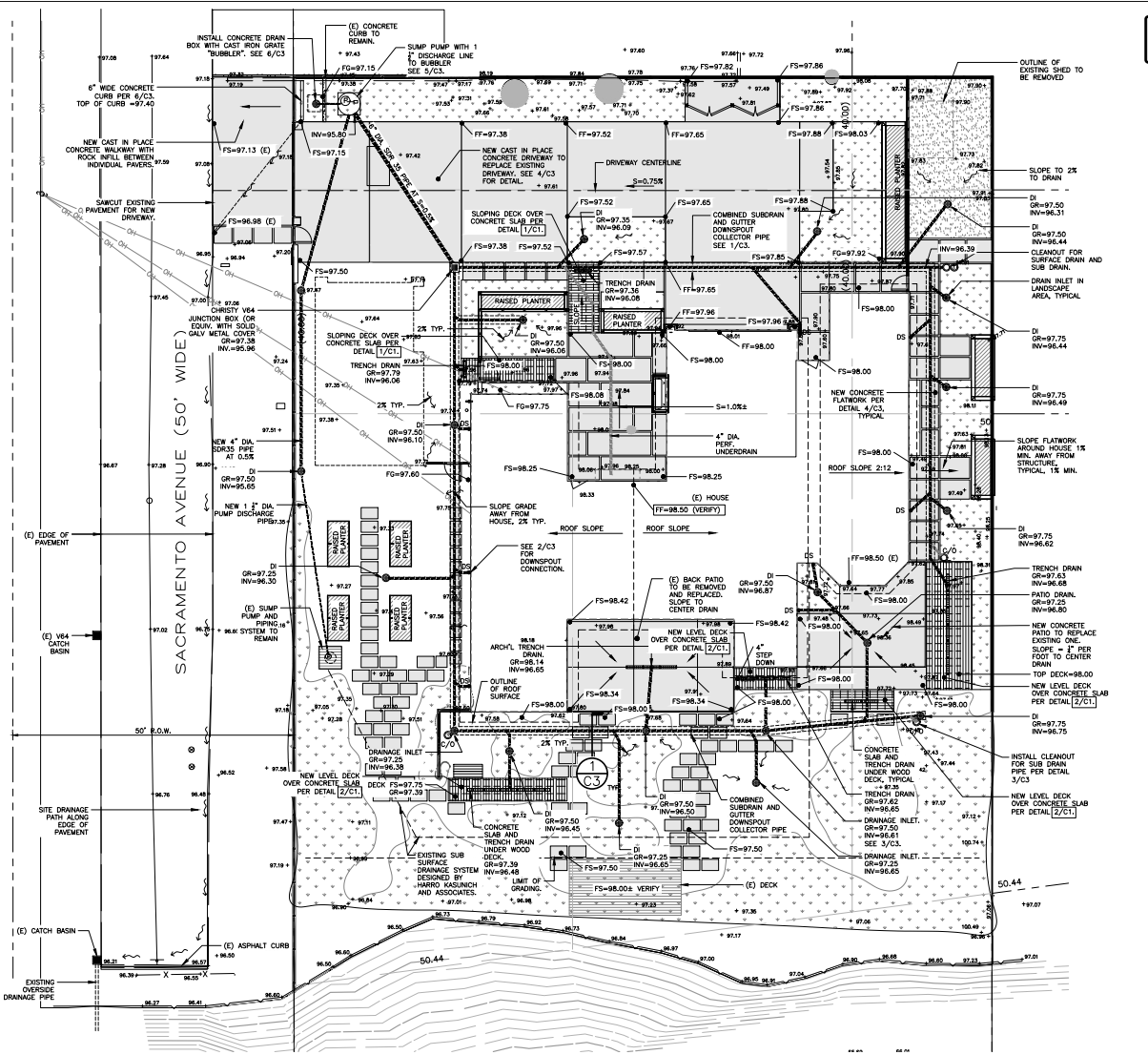
- STORM DRAINAGE**
- STORM DRAINAGE CATCH BASINS SHALL BE BY THE CHIRSTY COMPANY OR APPROVED EQUIVALENT. BOXES IN TRAFFIC AREAS SHALL HAVE TWENTY PAVED GRANITE, STONE AND INSTALL SUCH PRODUCTS AS SPECIFIED BY THE MANUFACTURER.
 - STORM DRAINAGE PIPE SHALL BE SDR 35 PVC PIPE, OR HDPE PIPE SUCH AS ADS BRAND N12 OR THE APPROVED EQUIVALENT. PIPE EXPOSED TO THE SUN SHALL BE UV STABLE.
 - PERMEABLE MATERIAL FOR PERCOLATION TRENCHES SHALL BE 1/2" CLEAN CRUSHED GRANITE OR EQUIVALENT.
 - PERCOLATION DRAIN PIPES SHALL BE 4" DIAMETER SDR35 PVC PIPE INSTALLED WITH THE PERFORATIONS FACING DOWN.
 - NO WOOD MULCH SHALL BE USED IN LANDSCAPE AREAS WHICH WILL SERVE AS PART OF THE STORM DRAINAGE SYSTEM. INORGANIC MULCH SUCH AS PER GRAVEL OR RIVER ROCK MAY BE USED IN LANDSCAPE AREAS WHICH WILL SERVE AS PART OF THE STORM DRAINAGE SYSTEM.



1 C1 SLOPING SLAB, SLOPING DECK DETAIL



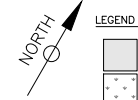
2 C1 LEVEL DECK AT GRADE, SLOPING SLAB



ABBREVIATIONS:

AN	ANCHOR BOLT	HDR	HEADER
AR	ARCHITECTURAL	LN	LINEAL FEET
AT	ARCHITECTURAL TIE ROD	LF	LANDSCAPE PLANTER
BTW	BETWEEN	LP	MAXIMUM
CCN	CONNECTION	OP	OPPOSITE
CD	CENTERLINE	OP	OPPOSITE
CONN	CONNECTION	OP	OPPOSITE
DA	DIAMETER	PFT	POUNDS PER CUBIC FOOT
DA	DIAMETER	PLF	POUNDS PER LINEAL FOOT
DA	DIAMETER	PSF	POUNDS PER SQUARE FOOT
EA	EACH	S	SCHEDULE
EPF	EQUIVALENT FLUID PRESSURE	SCA	SQUARE
FT	FINISHED FLOOR	SO	SQUARE
FL	FINISHED FLOOR	SO	SQUARE
FS	FINISHED SURFACE	TYP	TYPICAL
FT	FINISHED SURFACE	UNO	UNLESS NOTED OTHERWISE
FT	FINISHED SURFACE	VERT	VERTICAL
GALV	GALVANIZED		

SITE DRAINAGE PLAN
SCALE: 1"=10'-0"



LEGEND

	DENOTES LOCATION OF NEW CONCRETE FLATWORK		SURFACE DRAINAGE DIRECTION
	DENOTES LOCATION OF LANDSCAPE AREAS		DENOTES SITE FENCE
	DENOTES LOCATION OF LANDSCAPE DECK AT GRADE		DENOTES LIMITS OF WORK
	DENOTES LOCATION OF RAISED PLANTER		DENOTES COMBINED SUBDRAIN AND SURFACE DRAIN LINE
	DENOTES LOCATION OF GRAVEL SURFACE DOG RUN		DENOTES 4" DIA. SURFACE WATER DRAIN LINE. INSTALLED AT 0.5% TYPICAL
			DENOTES LOCATION OF CLEANOUT ASSEMBLY PER DETAIL
			DENOTES DRAINAGE DIRECTION

- NOTES:**
- ALL "ROOF DOWNSPOUTS" ARE TO BE CONSIDERED TO A "HARD" PIPE SYSTEM TO PREVENT ROOF WATER FROM SATURATING THE SOIL AROUND THE HOUSE.
 - NEW AREA DRAINS SHALL BE INSTALLED IN LANDSCAPE AREAS AS SHOWN TO FURTHER HELP CONVEY WATER AWAY FROM THE BUZZ. LANDSCAPE AREAS SHALL BE GRADED TO DRAIN AT A SLOPE OF 2%, TYPICAL.

REVISION

NO.	DESCRIPTION
1	REVISED IN RESPONSE TO PLAN CHECK COMMENTS
2	REVISED TO REFLECT NEW BIDS COMMENTS AND NEW LANDSCAPE AREAS

DATE: 11/15/24
DRAWN BY: ACB
SCALE: AS NOTED
SHEET

MORRISSEY
106 SACRAMENTO AVENUE
CAPITOLA, CA 95010

Professional Engineer 03338
Andrew C. Radovan
Civil Engineer Inc.

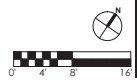
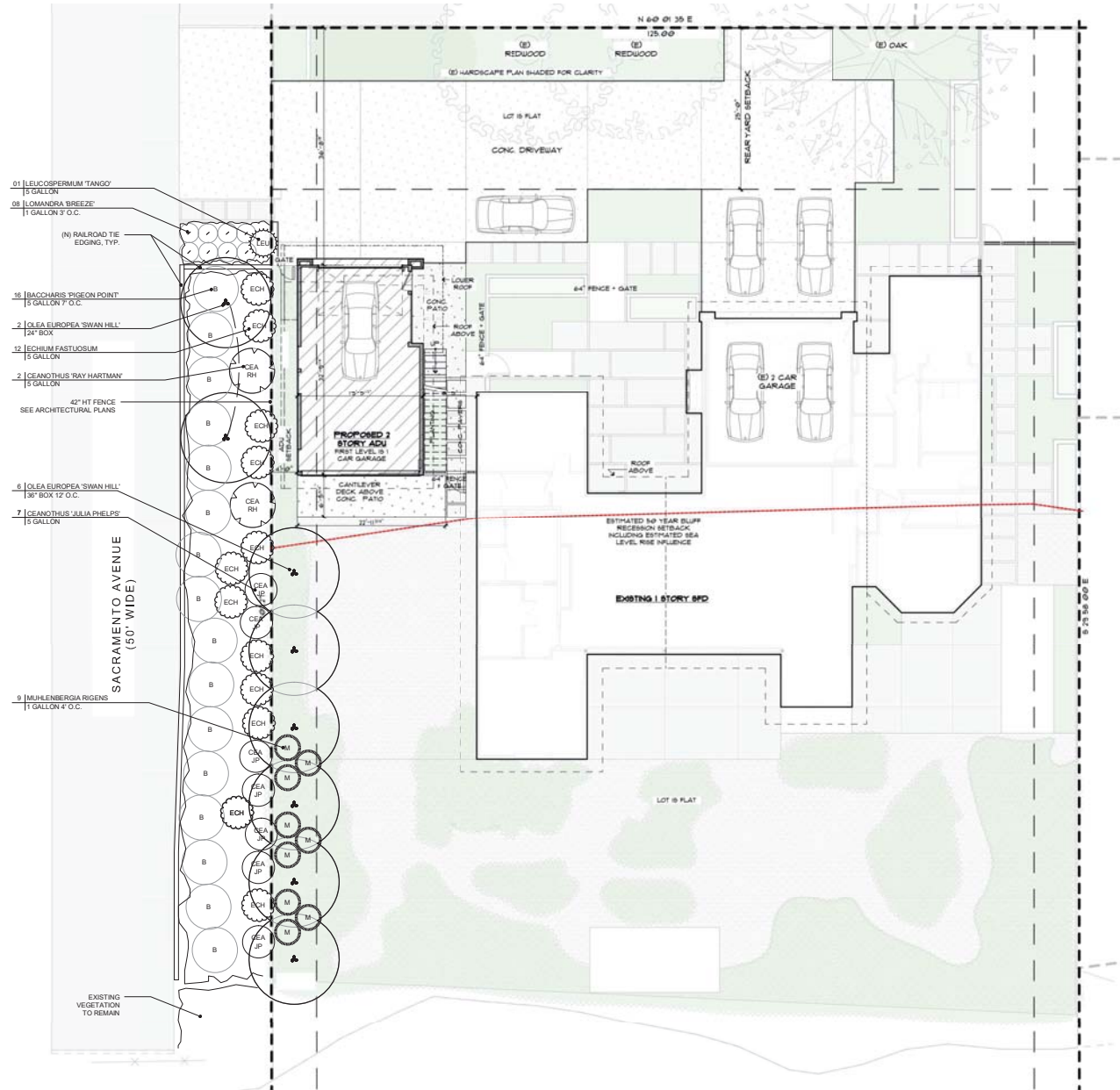
Phone: (831) 465-7266
Email: andrew@morrissey.com

Attachment: 106 Sacramento Avenue - Plan Set - Letter (106 Sacramento Avenue)

Packet Pg. 67

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANT	SIZE	Spacing/Mature Size (ft x ft)	WUCOLS rating
TREES						
—	<i>Olea europaea</i> 'Swan Hill'	Swan Hill Olive	2	24" box	per plant/25'-31' x 20'-25'	very low
—	<i>Olea europaea</i> 'Swan Hill'	Swan Hill Olive	6	36" box	12' o.c./25'-30' x 20'-25'	very low
SHRUBS, PERENNIALS, AND GRASSES						
B	<i>Baccharis pilularis</i> 'Pigeon Point'	Pigeon Point Coyote Bush	16	5 gallon	7' o.c./18" x 1'	low
CEA JP	<i>Corethrochaeta</i> 'Julia Phelps'	Julia Phelps Wild Licac	7	5 gallon	5' o.c./8' x 6'	low
CEA RH	<i>Corethrochaeta</i> 'Ray Hartman'	Ray Hartman Wild Licac	2	5 gallon	per plant/10'-12x8'	low
ECH	<i>Echium fastuosum</i>	Pride of Madras	12	5 gallon	5'-6" o.c./5'-6" x 5'-6"	low
LEU	<i>Leucospermum 'Tango'</i>	Tango Pin cushion	1	5 gallon	per plant/8'-8" x 4'-6"	low
—	<i>Lomandra longifolia</i> 'Breeze'	Deer Flat Rush	8	1 gallon	7' o.c./2'-3" x 3"	low
M	<i>Muhlenbergia rigens</i>	Deer Grass	9	1 gallon	4' o.c./3'-4" x 3'-4"	low

- NOTES**
- PLANTS SHALL BE HAND-WATERED TO ESTABLISH. NO IRRIGATION SYSTEM SHALL BE INSTALLED WITHIN PUBLIC RIGHT OF WAY. NO IRRIGATION SYSTEM SHALL BE INSTALLED BEYOND 50 YEAR BLUFF RECESSION SETBACK WITHIN PROPERTY.
 - CARE SHALL BE PRACTICED DURING CONSTRUCTION AROUND (E) TREES IDENTIFIED TO REMAIN. HAND TRENCH IN ROOT ZONES OF THESE PLANTS MINIMIZING DESTRUCTION TO SMALL AND LARGE ROOTS.
 - CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. CALL 811 (USA NORTH 811 SERVICE ALERT).
 - REMOVE ALL EXTRANEOUS MATERIAL FROM PLANTING AREAS.
 - THOROUGHLY MIX ALL SOIL AMENDMENTS PRIOR TO PLANT PLACEMENT.
 - CONTRACTOR SHALL SUPPLY PLANTS OF SIZE SPECIFIED. IF CONTRACTOR IS UNABLE TO LOCATE PLANT MATERIAL TYPE OR SIZE, NOTIFY LANDSCAPE ARCHITECT OR HOME OWNER.
 - AMEND PLANT PITS. PROVIDE SUSTAINED RELEASE FERTILIZER TABLETS OR BAGGIES.
 - TOP DRESS PLANTING AREAS AND RIGHT-OF-WAY AREAS WITH 3" DEEP RECYCLED WOOD CHIP MULCH (NON-TINTED). PROVIDE SAMPLE FOR HOMEOWNER REVIEW PRIOR TO ORDERING MULCH.



SALLY S
LANDSCAPE
ARCH

Conc
offic
1
c

ADU LANDSCAPE SCREENING PLAN
MORRISSEY ADU

no. date

LAND
SCORE

Attachment: 106 Sacramento Avenue - Landscape Plan (106 Sacramento Avenue)



STAINED WOOD SIDING + FENCING

'COCONUT' INTEGRAL COLOR SMOOTH STUCCO



STAINLESS CABLE RAILING W/ WOOD CAP



FLEETWOOD ALUMINUM WINDOWS + SLIDING DOORS

MORRISSEY REMODEL | COLOR & MATERIALS BOARD

106 SACRAMENTO AVENUE
CAPITOLA, CA 95010

Attachment: 106 Sacramento Avenue - Color and Materials Board (106 Sacramento Avenue)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 19, 2021
 SUBJECT: **1485 47th Avenue #21-0295 APN: 034-034-10**

Design Permit for demolition of an existing nonconforming single-family residence and construction of a new single-family residence located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission. Environmental Determination: Categorical Exemption
 Property Owner: Smitty & Tambi Harwood
 Representative: John Hofacre, Filed: 06.29.2021

APPLICANT PROPOSAL

The applicant is proposing to demolish an existing nonconforming, 921-square-foot, two-story, single-family residence and construct a new 1,824-square-foot single-family residence located at 1485 47th Avenue within the R-1 (Single-Family Residential) zoning district. A new single family home requires a design permit approved by Planning Commission. The application complies with all development standards of the R-1 zone.

BACKGROUND

On July 28, 2021, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: informed the applicant that several modifications to the plan set related to the drainage plan, surface flow, and additional infiltration details would be required prior to Planning Commission review.

Building Official, Robin Woodman: had no comments.

Associate Planner, Matt Orbach: informed the applicant that an additional tree must be included in the landscape plan to meet the 15% canopy coverage requirement.

Following the Architectural and Site Review Committee meeting, the applicant revised their plans to include an additional Japanese maple tree and address public works comments.

Development Standards

The following table outlines the zoning code requirements for development in the R-1 Zoning District. The project complies with all applicable development standards.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height				
R-1 Regulation		Existing		Proposed
25 ft.		17 ft. 2 in.		23 ft. 6 in.
Floor Area Ratio (FAR)				
		Existing		Proposed
Lot Size		3,200 sq. ft.		3,200 sq. ft.
Maximum Floor Area Ratio		57% (Max 1,824 sq. ft.)		57% (Max 1,824 sq. ft.)
First Story Floor Area		751 sq. ft.		1,158 sq. ft.
Second Story Floor Area		170 sq. ft.		666 sq. ft.
TOTAL FAR		28.8% (921 sq. ft.)		57% (1,824 sq. ft.)
Yards				
		R-1 Regulation	Existing	Proposed
Front Yard 1 st Story		15 ft.	34 ft. 4 in.	16 ft. 1 in.
Front Yard 2 nd Story & Garage		20 ft.	38 ft. 4 in.	20 ft.
Side Yard 1 st Story - Interior	10% of lot width	Lot width: 40 ft. 4 ft. min.	3 ft. 2 in. (West) Existing Nonconforming	5 ft. (West)
Side Yard 1 st Story - Exterior	10 ft.		5 ft. 8 in. (East) Existing Nonconforming	10 ft. (East)
Side Yard 2 nd Story - Interior	15% of lot width	Lot width: 40 ft. 6 ft. min	17 ft. 9 in. (West)	6 ft. (West)
Side Yard 2 nd Story - Exterior	10 ft.		5 ft. 9 in. (East) Existing Nonconforming	10 ft. (East)
Rear Yard 1 st Story	Min. interior side yard of adjacent property, but no less than 4 ft.	Side yard of adjacent property: 4 ft. 4 ft. min.	10 ft 8 in.	15 ft. 4 in.
Rear Yard 2 nd Story	Min. interior side yard of	Side yard of adjacent property: 4 ft.	30 ft 9 in.	19 ft 3 in.

	adjacent property, but no less than 4 ft.	4 ft. min.		
Parking				
	Required	Existing	Proposed	
Residential (from <u>1,501</u> up to <u>2,000</u> sq. ft.)	<u>2</u> spaces total <u>1</u> covered <u>1</u> uncovered	<u>2</u> spaces total <u>1</u> covered <u>1</u> uncovered	<u>2</u> spaces total <u>1</u> covered <u>1</u> uncovered	
Underground Utilities: required with 25% increase in area			Required	

DISCUSSION

The existing residence at 1485 47th Avenue is a nonconforming, two-story, single-family residence. The existing residence is currently uninhabitable and has been red-tagged by the Building Department as a dangerous structure. The lot is located in the Jewel Box neighborhood and is surrounded by one- and two-story single-family homes. The home is located on the corner of 47th Avenue and Garnet Street.

Design Permit

The applicant is proposing to demolish the existing 921-square-foot, nonconforming, single-family residence and construct a new 1,824-square-foot, single-family residence. The proposed two-story design includes stucco siding, white painted wood trim at the doors and windows, and a pitched roof with composition shingles. Architectural details include a large covered post and beam porch oriented toward 47th Avenue, a covered entry with wood brackets oriented toward Garnet Street, and a recessed garage.

When considering design permit applications, the Planning Commission evaluates applications to ensure that they satisfy the applicable design permit criteria of Zoning Code section 17.120.070.A-S, to ensure the proposed design satisfies the 19 listed criteria, to the extent the criteria apply. The design criteria to be considered are included as Attachment 2. In staff’s review of the application, the proposed single-family home satisfies all the applicable design criteria; therefore, the required findings to issue a design permit are included in the findings section at the report.

Sidewalk

Currently, there is no sidewalks along the double frontage of the corner lot. The application includes a new sidewalk along Garnet Street and 47th Avenue.

Parking

The proposed 1,824-square-foot residence requires two onsite parking spaces, one of which must be covered. The project provides one covered parking space in an attached garage and a second parking space located in the driveway within the front yard setback. The parking space in the garage and in the driveway comply with the minimum parking dimensions of 10 feet wide by 20 feet long.

CEQA

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

family residence in a residential zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission consider application #21-0295 and approve the application with the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence. The maximum Floor Area Ratio for the 3,200-square-foot property is 57% (1,824 square feet). The total FAR of the project is 57% with a total of 1,824 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 August 19, 2021, 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 landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #21-0295 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
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 §17.156.080.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

21. Prior to demolition of the existing structure, a pest control company shall resolve any pest issues and document that all pest issues have been mitigated. Documentation shall be submitted to the city at time of demolition permit application.

DESIGN PERMIT FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence is consistent with the general plan and the local coastal program.

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

The proposed demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence complies with all applicable provisions of the zoning code for the R-1 (Single-Family Residential) District.

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

Section 15303(a) of the CEQA Guidelines exempts one single single-family residence, or a second dwelling unit in a residential zone. The project involves the construction of a new single-family residence in the R-1 (Single-Family Residential) District. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

The proposed demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

The proposed demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence complies with the applicable design review criteria in Section 17.120.070 of the zoning code.

- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the demolition of an existing nonconforming, 921-square-foot, two-story, single-family residence and construction of a 1,824-square-foot single-family residence. The design of the two-story home with stucco siding, white painted wood trim at the doors and windows, a pitched roof with composition shingles, and covered entryways, will fit in nicely with the existing

neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood with entrances oriented toward 47th Avenue and Garnet Street.

COASTAL PERMIT 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 1485 47th 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 47th 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 on 47th 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.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

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

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

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

SEC. 30222

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

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

SEC. 30223

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

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

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

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

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

- The project involves the construction of a single-family residence. 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 0.7 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 new single-family residence. 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 (Single-Family Residential) zoning district.

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

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

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

- The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
- The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
- The village area preferential parking program shall be limited to three hundred fifty permits.
- Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
- Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
- 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.
- A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- 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. 1485 47th Avenue - Plan Set
2. 1485 47th Avenue - Color and Material Board
3. Design Permit Design Review Criteria

Prepared By: Sean Sesanto

ABBREVIATIONS

A.B.	ANCHOR BOLT	MIN.	MINIMUM
ADU	ACCESSORY DWELLING UNIT	M.O.	MASONRY OPENING
ALUM.	ALUMINUM	MTL.	METAL
APPROX.	APPROXIMATE	(N)	NEW
BD.	BOARD	N.L.C.	NOT IN CONTRACT
BLKS.	BLOCKING	N.T.S.	NOT TO SCALE
BM.	BEAM	O/V.	OVER
BOT.	BOTTOM	ON CTR.	ON CENTER
CAB.	CABINET	O.D.	OUTSIDE DIAMETER
C.C.	CONTROL JOINT	O.D.	OUTSIDE DIAMETER
C.L.	CLEAR	OSB	ORIENTED STRAND BOARD
C.M.U.	CONCRETE MASONRY UNIT	P.A.F.	PLATE
COL.	COLUMN	P.L.Y.	PLYWOOD
CONC.	CONCRETE	P.T.	PRESSURE TREATED
CONT.	CONTINUOUS	P.V.C.	POLY VINYL CHLORIDE
DBL.	DOUBLE	QTR.	QUARTER
DM.	DIMENSION	R.	RADIUS
DN.	DOWN	REF.	REFRIGERATOR
D.F.	DOUGLAS FIR	RENF.	REINFORCING
DS.	DOWN SPOUT	REQD.	REQUIRED
D/W.	DISHWASHER	RM.	ROOM
E.A.	EACH	RND.	ROUND
EL.	ELEVATION	R.O.	ROUGH OPENING
EQ.	EQUAL	RWD.	REDWOOD
EQUIP.	EQUIPMENT	S.A.F.	SELF-ADHERING FLASHING
EXST.	EXISTING	S.C.	SOLID CORE
EXT.	EXTERIOR	SPEC.	SPECIFICATION
FIN.	FOUNDATION	SQL.	SQUARE
F.M.	FLOOR MATERIAL	S.S.	STAINLESS STEEL
F.O.B.	FACE OF BLOCK	STD.	STANDARD
F.O.C.	FACE OF CONCRETE	STL.	STEEL
F.O.F.	FACE OF FINISH	STRUCT.	STRUCTURAL
F.O.S.	FACE OF STUD	S.W.	SYNTHETIC WOOD
FT.	FOOT OR FEET	T&G	TONGUE & GROOVE
FTG.	FOOTING	T.C.C.	TONGUE IN CHEEK
GA.	GAUGE	THK.	THICK
GALV.	GALVANIZED	T.O.C.	TOP OF CONCRETE
G.I.	GALVANIZED IRON	T.O.P.	TOP OF PLATE
G.L.B.	GLUE LAM BEAM	T.O.S.	TOP OF SLAB
G.S.M.	GALVANIZED SHEET METAL	T.O.W.	TOP OF WALL
H.C.	HOLLOW CORE	T.O.S.F.	TOP OF SUB-FLOOR
HDR.	HEADER	TYP.	TYPICAL
H.M.	HOLLOW METAL	U.O.N.	UNLESS OTHERWISE NOTED
HORIZ.	HORIZONTAL	VERT.	VERTICAL
HT.	HEIGHT	W/	WITH
I.D.	INSIDE DIAMETER	W.C.	WATERCLOSET
INSUL.	INSULATION	WD.	WOOD
INT.	INTERIOR	W/W.	WINDOW
JT.	JOINT	W.H.	WATER HEATER
K.D.	KILN DRIED	W/O	WITHOUT
L.M.	LAM. PLASTIC LAMINATE	W.R.B.	WEATHER RESISTIVE BARRIER
LAV.	LAVATORY	WT.	WEIGHT
MAX.	MAXIMUM	W.M.	WELDED WIRE MESH
M.B.	MACHINE BOLT		
MFR.	MANUFACTURER		

PROJECT INFO

DESCRIPTION: DEMOLISH EXISTING HOUSE & BUILD A NEW TWO STORY DETACHED HOUSE w/ AN ATTACHED SINGLE CAR GARAGE.

OWNER/DESIGNER: SMITTY & TAMRI HARWOOD
2995 CAROLINA AVE.
REDWOOD CITY, CA 94061
650-222-0072

PROJECT ADDRESS: 1485 47TH AVE
CAPITOLA, CA 95010

ASSESSORS PARCEL #: 034-034-10

ZONE DISTRICT: R1-5

BUILDING HEIGHT: 18'-6" (PROPOSED +/-)

OFF-STREET PARKING: TWO (1 COVERED & 1 UNCOVERED)

CONSTRUCTION TYPES: TYPE V B

NUMBER OF STORIES: TWO STORIES

OCCUPANCY GROUPS: DWELLING UNIT R-3

(E) LOT SIZE: 3,200 SF (40' X 80')

(E) HOUSE SIZE: +/- 921 SF (TO BE DEMOLISHED)

FLOOR AREA RATIO: 27%

PROPOSED HOUSE SIZE: 862 SF FIRST FLOOR
668 SF SECOND FLOOR
1,528 SF TOTAL LIVING (HEATED)

GARAGE: 296 SF
1,824 SF TOTAL (HOUSE & GARAGE)

SHEET INDEX

ARCHITECTURAL
A1.1 PROJECT DATA - SITE & ROOF
A1.2 DRAINAGE, SURVEY, LANDSCAPE
A1.3 IMPERVIOUS - LOT COVERAGE
A2 FLOOR PLANS
A3 EXISTING PLANS
A4 SECTIONS/ELEVATIONS
BMP BEST MANAGEMENT PRACTICES
1 of 1 FULL SURVEY

PROJECT TEAM

PLANNING, DESIGN, GREEN CONSULTANT:
LEED ACCREDITED PROFESSIONAL
12/13/2007

JOHN HOFFACRE LEED-AP
1575 49TH AVE.
CAPITOLA, CA 95010
831-295-2468

SMITTY HARWOOD

2995 CAROLINA AVE.
REDWOOD CITY, CA 94061
650-222-0072

REFERENCE CODE

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA RESIDENTIAL CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
2019 CALIFORNIA HISTORIC BUILDING CODE
2019 EXISTING BUILDING CODE
2019 CALIFORNIA FIRE CODE

DRAWING DATE
6/23/2021

DRAINAGE & LANDSCAPE UPDATE
8/4/2021

REVISIONS
No. DESCRIPTION DATE

DRAWING SYMBOLS

①	DETAIL REFERENCE / SHEET NUMBER
②	BUILDING SECTION REFERENCE / SHEET NUMBER
③	WINDOW TYPE
④	DOOR TYPE
⑤	KEYNOTE NUMBER
⑥	INTERIOR ELEVATION REFERENCE / SHEET NUMBER

ITEMS FROM PUBLIC WORKS REVIEW LETTER DATED 7/2/21

PRIOR TO STAFF APPROVAL or PLANNING COMMISSION REVIEW

- REFERENCES TO CIVIL PLANS HAVE BEEN REMOVED
- THE CITY'S POST CONSTRUCTION REQUIREMENTS REQUIRE ALL PROJECTS TO INCORPORATE A RUNOFF REDUCTION MEASURE INTO THE SITE PLAN (e.g. disperse runoff TO VEGETATED AREA, PERVIOUS PAVERS, RAIN BARREL, RESPONSIVE PAVERS FOR DRIVEWAY (SLOPING TO LANDSCAPE AREAS & RAIN BARREL BELOW SOUTH "AWNING" ROOF)

ALL SITE RUNOFF IS DIRECTED TO NOT DRAIN ONTO ADJACENT PARCELS.

PROVIDE DETAILS OF WHERE THE DOWNSPOUTS DISSIPATE.
Response: SHEET A1.2 NOW DESCRIBES SPECIFIC MEASURES.

SURFACE FLOW FROM THE DRIVEWAY AND FRONT LANDSCAPE AREA ON THE NORTH PORTION OF THE PARCEL ACROSS THE PUBLIC RIGHT-OF-WAY IS NOT PERMITTED. Response: THE DRIVEWAY NOW DIRECTS WATER AWAY FROM THE NORTH PROPERTY LINE AND TO A LANDSCAPE AREA WHICH WILL FLOW ACROSS LANDSCAPE THE ENTIRE LENGTH OF PROPERTY TO THE SOUTH EAST CORNER.

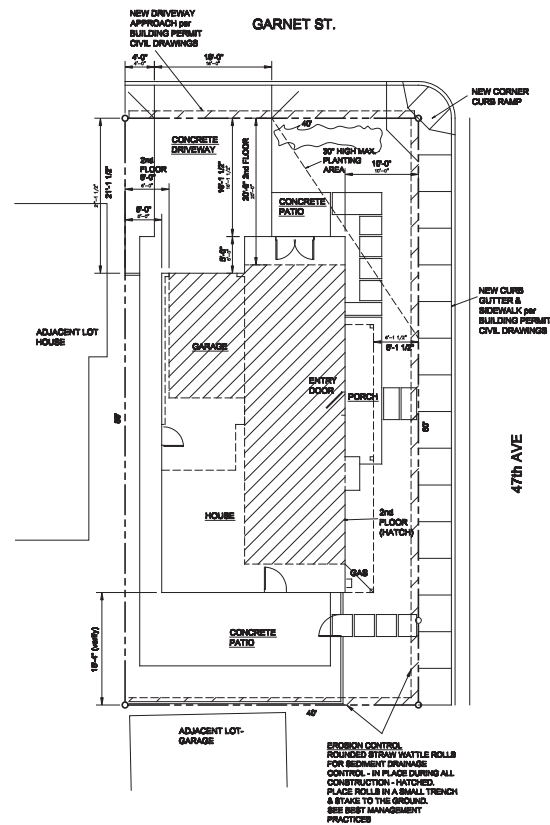
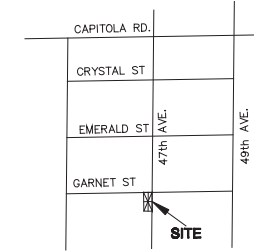
PROVIDE DETAILS OF THE GRAVEL/ROCK DRAIN AREA IN THE SOUTHEAST PROPERTY CORNER. UNLESS THE SITE SOIL TYPE IS NOT ADEQUATE FOR INFILTRATION, A THROUGH CURB DRAIN IS NOT SUPPORTED. SUBMIT SOILS DOCUMENTATION.
Response: A GEO-TECHNICAL REPORT IS BEING PREPARED BUT IS NOT AVAILABLE NOW. A DRAIN AREA DETAIL IS NOW PROVIDED. THE THROUGH CURB DRAIN WAS INCLUDED BECAUSE THERE MAY BE A FEW TIMES A YEAR WHERE THERE IS A RAIN DOWNPOUR THAT CAN OVERWHELM THE DISSIPATION & INFILTRATION CAPACITY OF EVEN A WELL DEVELOPED DRAINAGE SYSTEM ON THE PROPERTY.

BUILDING PERMIT PLAN SUBMITTAL/CONDITIONS OF APPROVAL

- SUBMIT A TEMPORARY CONSTRUCTION SEDIMENT & EROSION CONTROL PLAN (CONSTRUCTION BMP'S), THE PLANS SHALL BE IN COMPLIANCE WITH THE REQUIREMENTS SPECIFIED IN CAPITOLA MUNICIPAL CODE 15.16 STORM WATER POLLUTION PREVENTION & PROTECTION
- PUBLIC WORKS STANDARD DETAIL STORM WATER BEST MANAGEMENT PRACTICES (STRM-BMP) SHALL BE PRINTED IN FULL AND INCORPORATED AS A SHEET INTO THE CONSTRUCTION PLANS.
- 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 (PPRA) & PUBLIC WORKS STANDARD DETAILS, INCLUDING ALL STANDARDS RELATING TO LOW IMPACT DEVELOPMENT (LID). SUBMIT DETAILS OF GRAVEL/ROCK DRAIN AREAS; AND SUBMIT DETAILS OF CONCRETE PAVERS WITH SPACING FOR INFILTRATION.
- PRIOR TO ANY LAND DISTURBANCE, A PRE-SITE INSPECTION MUST BE CONDUCTED BY THE GRADING OFFICIAL TO VERIFY COMPLIANCE WITH APPROVED EROSION & SEDIMENT CONTROL PLAN.
- PRIOR TO ISSUANCE OF BUILDING PERMIT, THE APPLICANT SHALL SUBMIT A UTILITY PLAN.
- PRIOR TO ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL SUBMIT PLANS DETAILING ANY IMPROVEMENTS OR MODIFICATIONS THAT IMPACT OR INTERFERE WITH THE PUBLIC RIGHT-OF-WAY. AT A MINIMUM THESE DETAILS WILL INCLUDE THE LIMITS OF ANY EXISTING OR PROPOSED CURB DRAINS, ADA COMPLIANT DRIVEWAY APPROACHES, OR OTHER MODIFICATION TO THE CURB/GUTTER/SIDEWALK. THE EXTENT OF ALL IMPROVEMENTS OR MODIFICATIONS SHALL BE LIMITED TO THOSE AREAS FRONTING THE PROPERTY BOUNDARY AND SHALL NOT IMPACT THE FRONTAGE OF ADJACENT PARCELS.
- 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 CURB & GUTTER IMPROVEMENTS SHALL BE CONSTRUCTED per CITY STANDARD. NO MATERIAL OR EQUIPMENT STORAGE MAY BE PLACED IN THE ROAD RIGHT-OF-WAY.
- PRIOR TO 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.

② ROOF PLAN
SCALE: 1/8"=1'-0"

① SITE PLAN
SCALE: 1/8"=1'-0"



Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

HARWOOD - NEW HOUSE
1485 47th AVE., CAPITOLA CA

A1.1

SMITTY HARWOOD

2828 CAROLINA AVE.
NEWHOOD CITY, TX
76097
817-333-0322

DRAWING DATE
6/23/2021

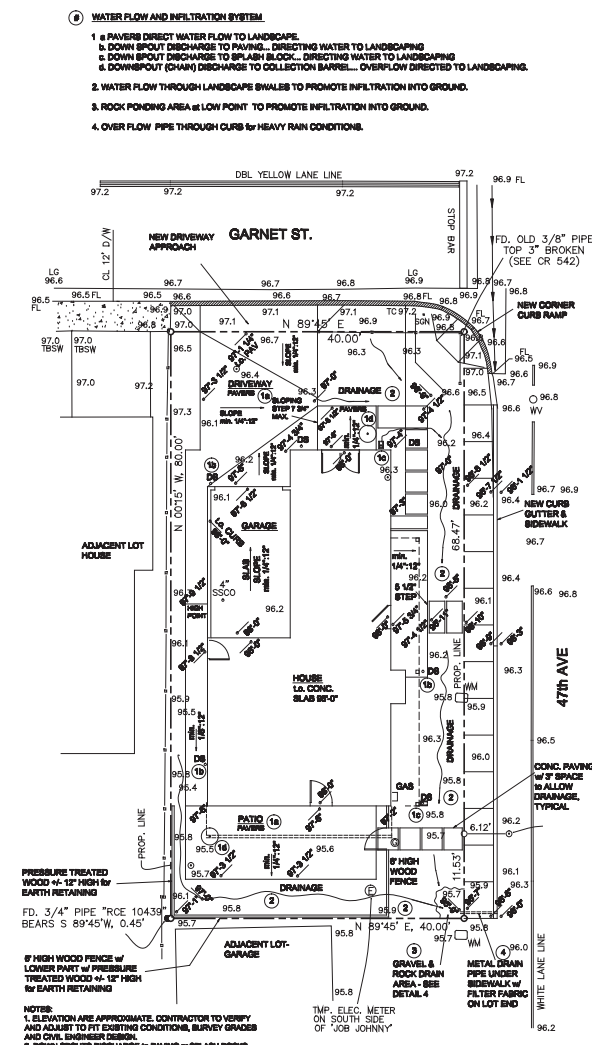
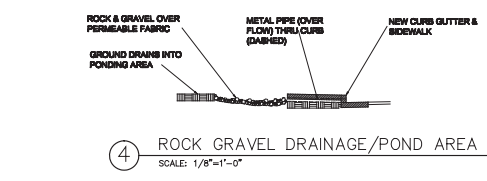
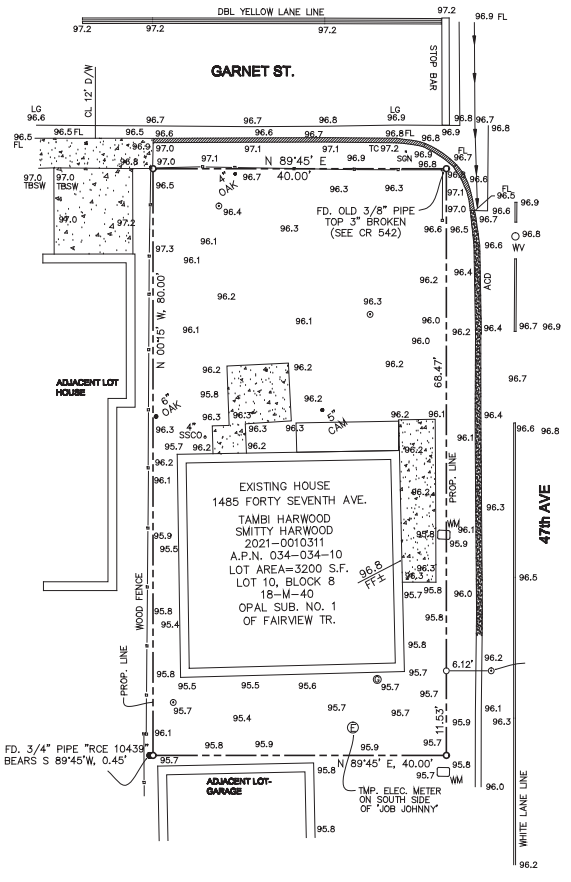
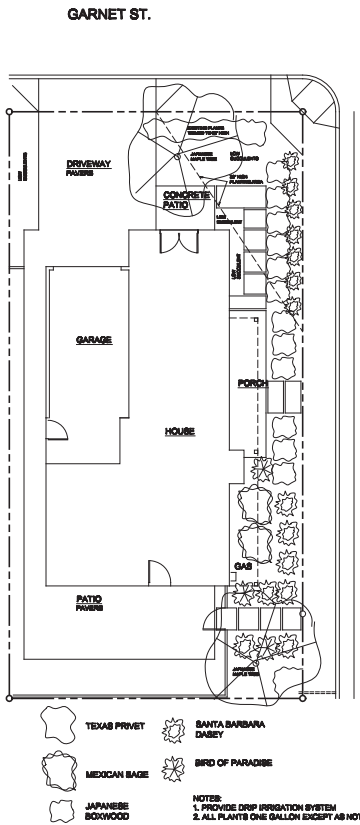
DRAINAGE &
LANDSCAPE
UPDATE
8/4/2021

REVISIONS	DATE
No.	DESCRIPTION

HARWOOD - NEW HOUSE
1485 47th AVE., CAPTOLA CA

Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

A1.2



- LEGEND**
- Indicates survey monument found as noted hereon.
 - Indicates survey reference point set as noted.
 - o Indicates nothing found or set.
 - * Indicates spot elevation of existing surface.
- All distances shown are in feet and decimals thereof unless noted.
- Indicates existing board fence.
 - ⊙ Indicates electric meter on so. side of 'Job Johnny'.
 - FF Indicates 'Finished floor'.
 - FL Indicates 'Flow line'.
 - ⊖ Indicates 'Spot'.
 - LG Indicates 'lip of concrete gutter plate'.
 - SSMH Indicates 'sanitary sewer manhole'.
 - SSCO Indicates 'sanitary sewer clean-out'.
 - TBSW Indicates 'top back of sidewalk'.
 - TC Indicates 'top of curb'.
 - WM Indicates 'water meter'.

- WATER FLOW AND INFILTRATION SYSTEM**
- PAVERS DIRECT WATER FLOW TO LANDSCAPE & DOWN SPOUT DISCHARGE TO PAVING. DIRECTING WATER TO LANDSCAPING & DOWN SPOUT DISCHARGE TO SPLASH BLOCK. DIRECTING WATER TO LANDSCAPING & DOWN SPOUT (CHAIN) DISCHARGE TO COLLECTION BARREL. OVERFLOW DIRECTED TO LANDSCAPING.
 - WATER FLOW THROUGH LANDSCAPE SWALES TO PROMOTE INFILTRATION INTO GROUND.
 - ROCK PONDING AREA AT LOW POINT TO PROMOTE INFILTRATION INTO GROUND.
 - OVER FLOW PIPE THROUGH CURB FOR HEAVY RAIN CONDITIONS.

SMITTY HARWOOD

2825 CAROLINA AVE.
NEWWOOD CITY, CA
94041
925-222-0272

DRAWING DATE
6/23/2021

DRAINAGE &
LANDSCAPE
UPDATE
8/4/2021

NO.	DESCRIPTION	DATE

STORMWATER PROJECT INFO
SEE SHEET A1.2 FOR GRADE, SLOPE, DRAIN SWALES, GUTTERS,
DOWN SPOUTS, SPLASH BLOCKS, WATTLES, ETC.

PERVIOUS AREA = LANDSCAPE
IMPERVIOUS AREA = STRUCTURES, PAVEMENT, HARDSCAPE

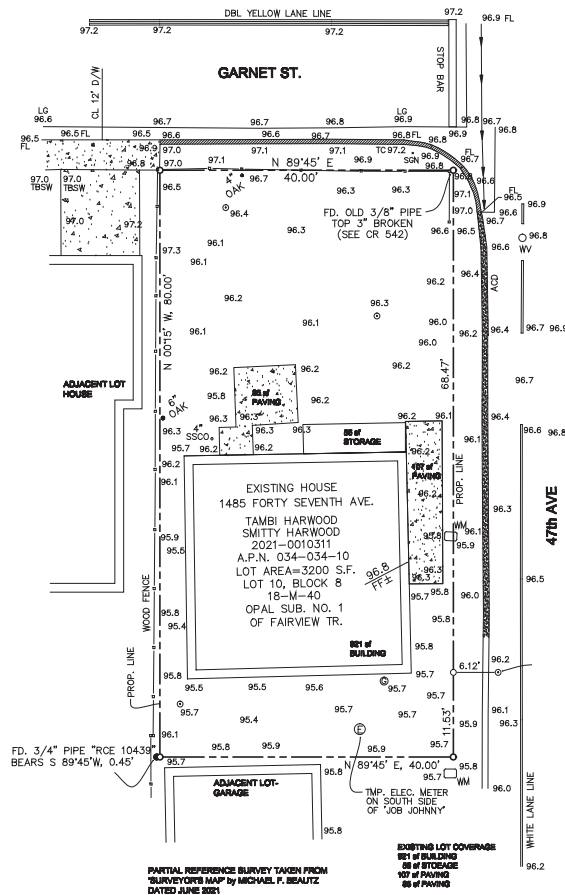
3,200 sf PARCEL SIZE
1,188 sf EXISTING (PRE-PROJECT) IMPERVIOUS SURFACE
561 sf HOUSE
48 sf STORAGE
107 sf CONC. PAVING (ENTRY)
86 sf CONC. PAVING (YARD)

1,188 sf AMOUNT OF REPLACE IMPERVIOUS AREA
ENTIRE (E) BUILDING & PAVING REPLACED

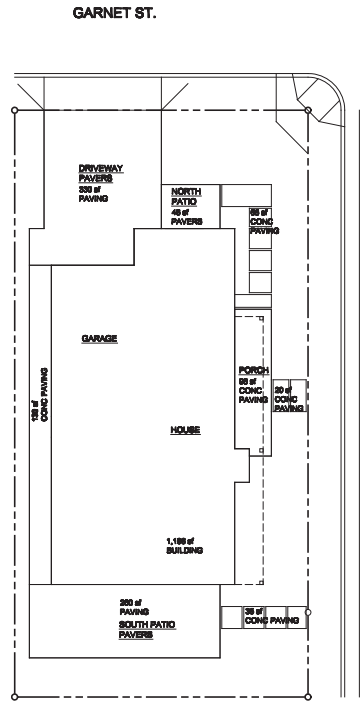
688 sf AMOUNT OF NEW PERVIOUS AREA (PAVERS)
48 sf NORTH PATIO
380 sf SOUTH PATIO
260 sf DRIVEWAY
688 sf TOTAL

988 sf AMOUNT OF NEW IMPERVIOUS AREA
1,814 sf - 1,188 sf = 948 sf

2,182 sf TOTAL PROPOSED (POST-PROJECT) IMPERVIOUS SURFACE
1,188 sf BUILDING
88 sf PORCH
130 sf SIDE PAVING
88 sf NORTH EAST
38 sf ENTRY PAVING
38 sf SOUTH EAST PAVING
1,814 sf TOTAL



② EXISTING BUILD & PAVING
SCALE: 1/8"=1'-0"



① PROPOSED BUILDING & PAVING
SCALE: 1/8"=1'-0"

Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

HARWOOD - NEW HOUSE
1485 47th AVE., CAPTOLA CA

GARNET

SMITTY HARWOOD

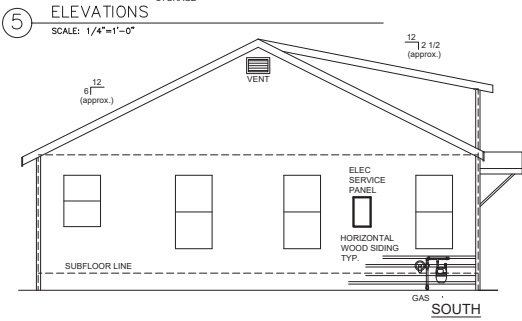
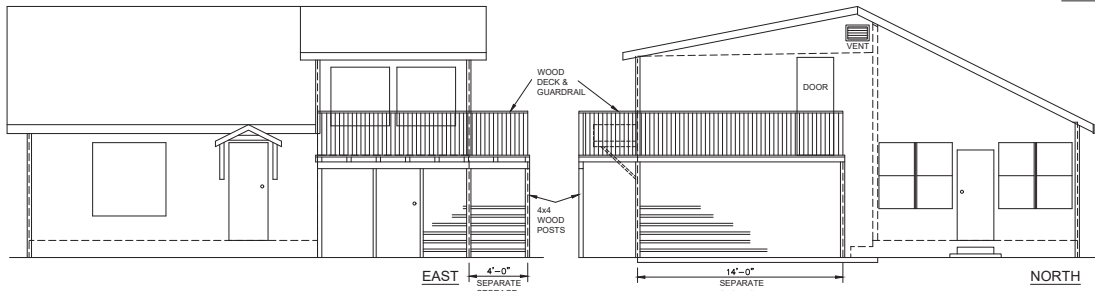
2905 CAROLINA AVE.
RENOVOC CITY, CA
94591
(925) 222-3072

DRAWING DATE
6/23/2021

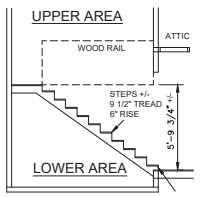
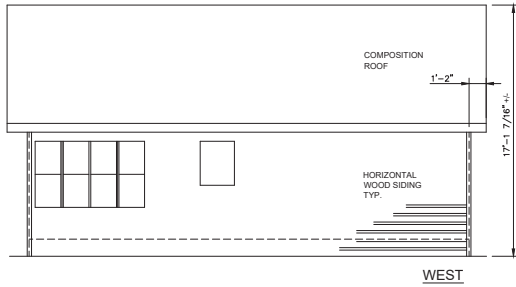
REVISIONS
No. DESCRIPTION DATE

HARWOOD NEW HOUSE
1485-47th AVE., CAPITOLA CA

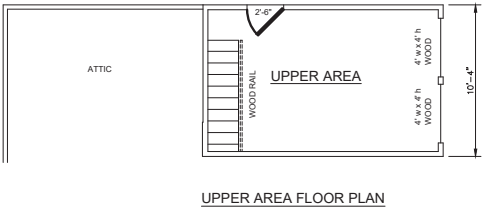
Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)



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

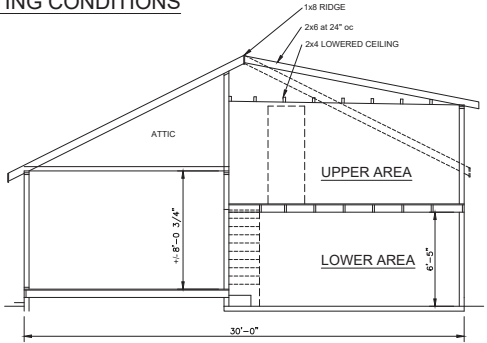


4 SECTION - STEPS
SCALE: 1/4"=1'-0"

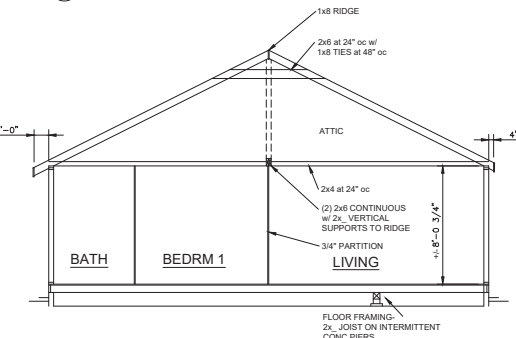


UPPER AREA FLOOR PLAN

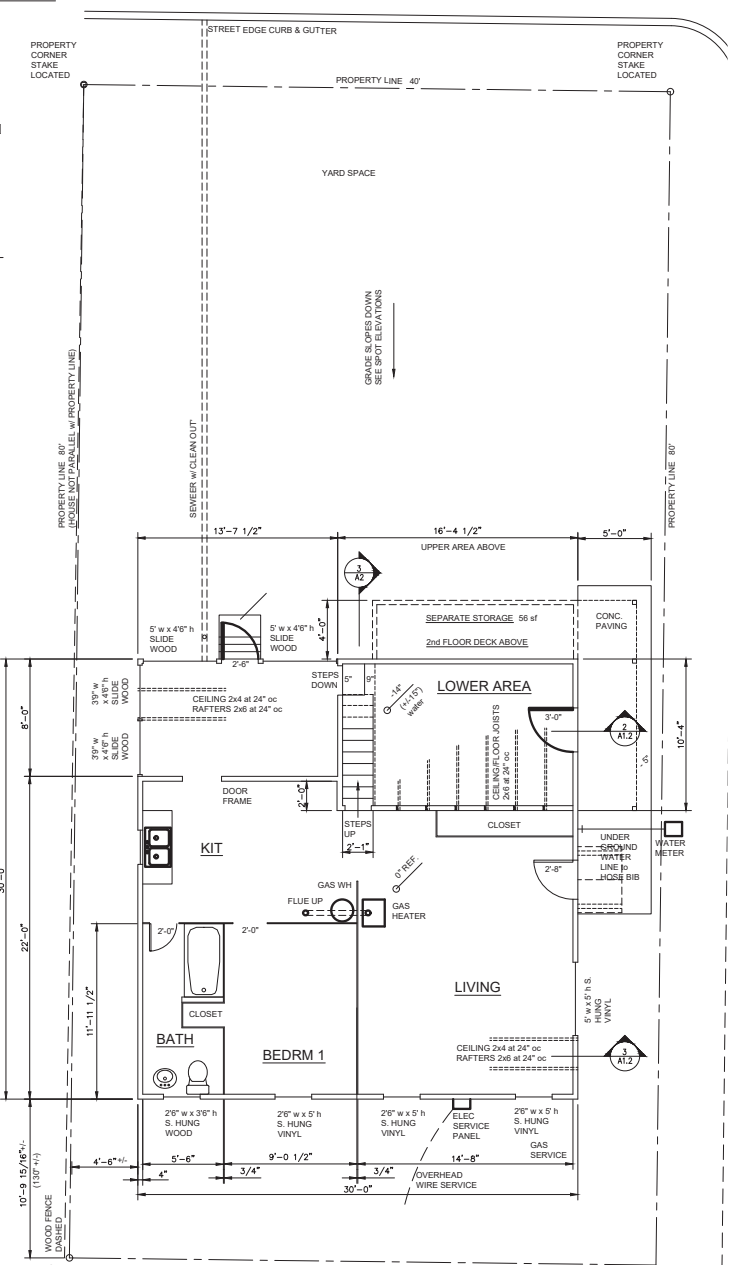
EXISTING CONDITIONS



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



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



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

SMITTY HARWOOD

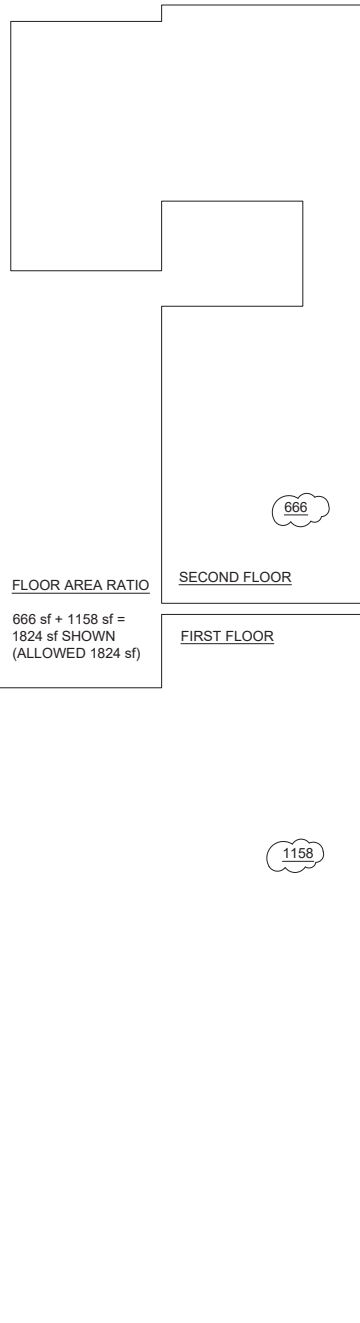
2905 CAROLINA AVE.
REDDWOOD CITY, CA
94568
(925) 222-5072

DRAWING DATE
6/23/2021

REVISIONS		
No.	DESCRIPTION	DATE

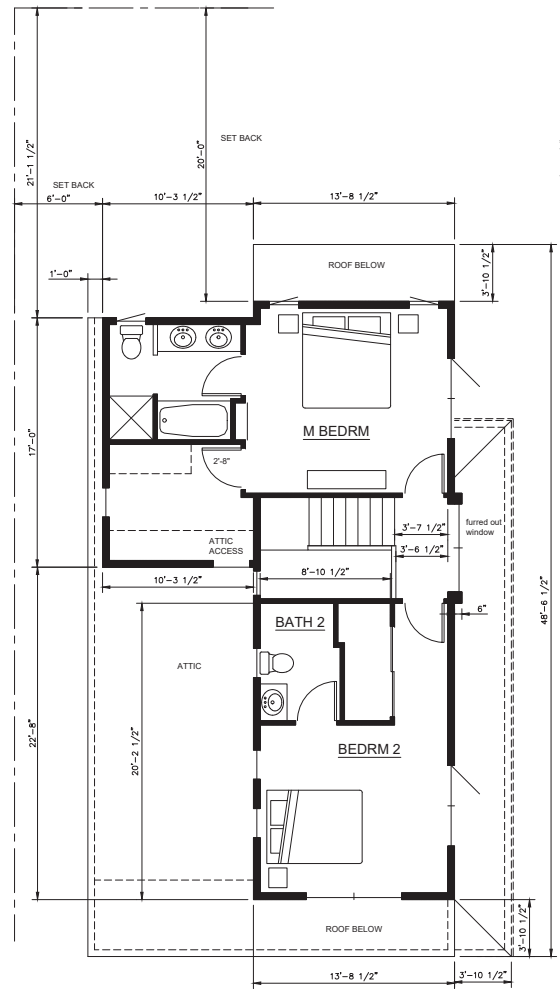
Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

HARWOOD NEW HOUSE
1485 47th AVE, CAPITOLA CA

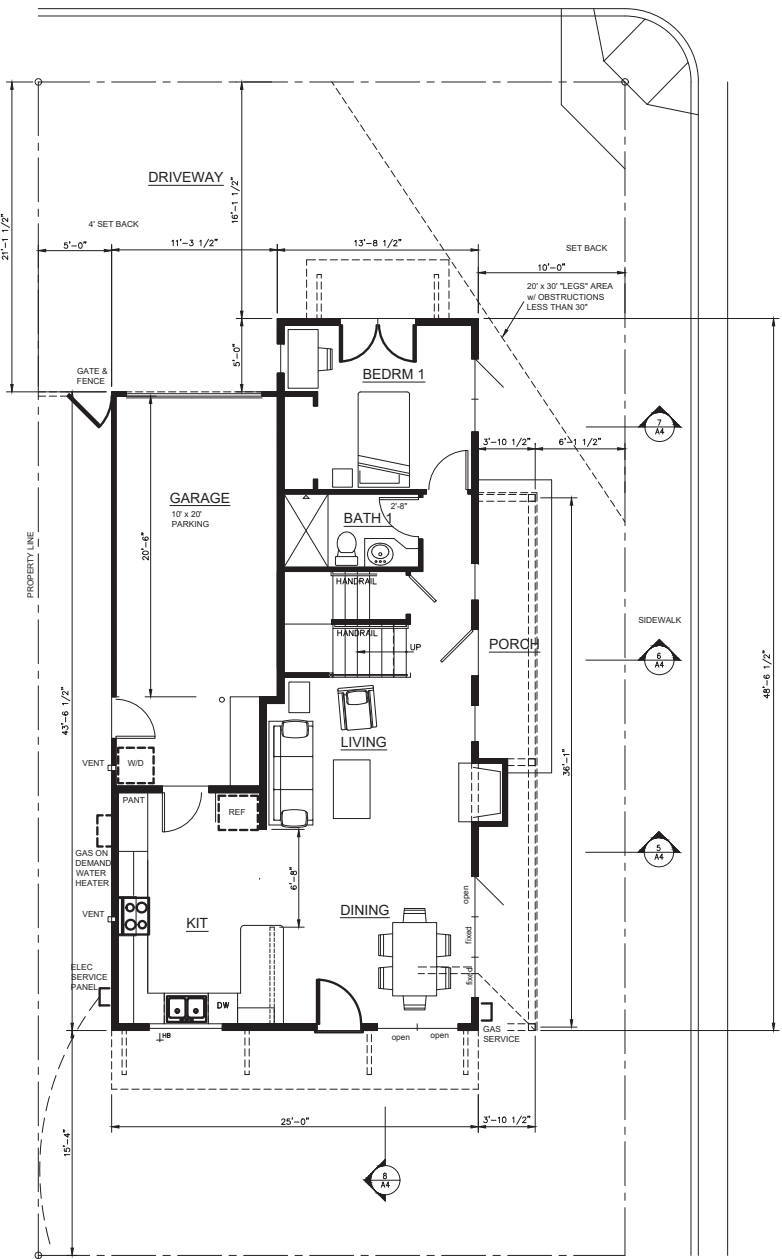


FLOOR AREA RATIO
666 sf + 1158 sf =
1824 sf SHOWN
(ALLOWED 1824 sf)

SECOND FLOOR
FIRST FLOOR



② SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



① FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



A3

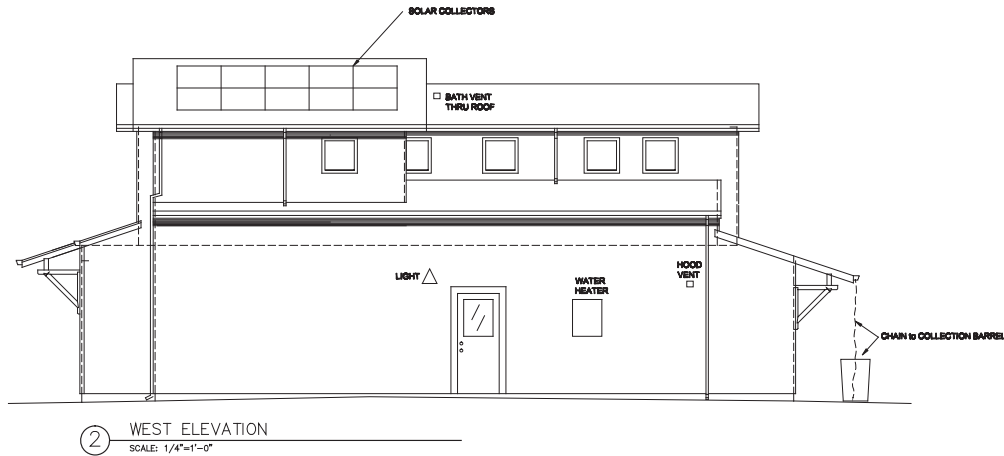
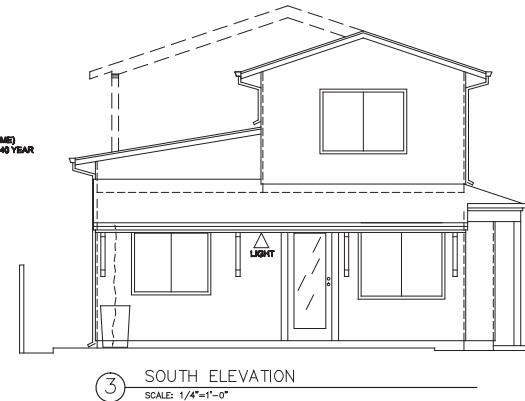
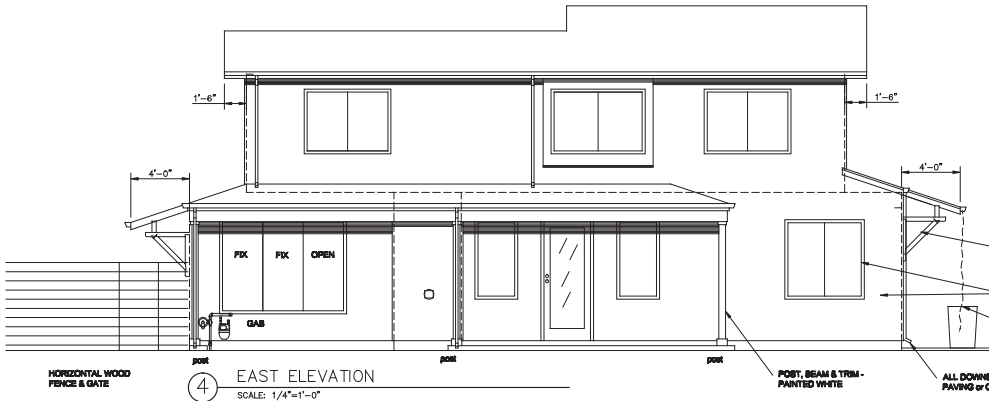
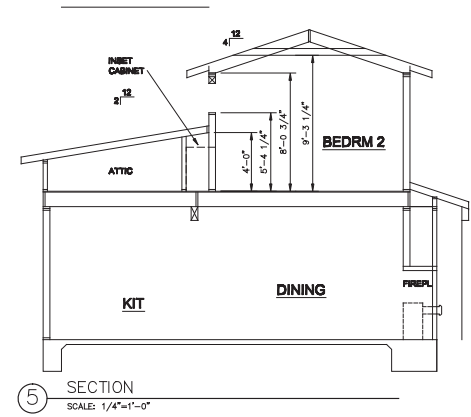
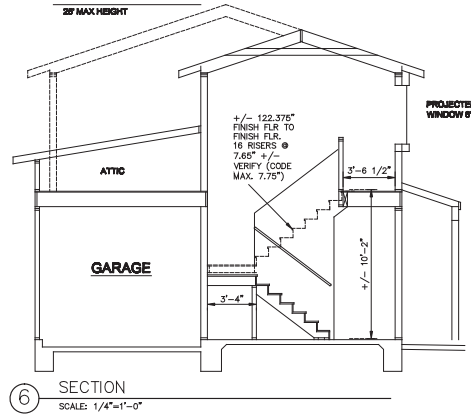
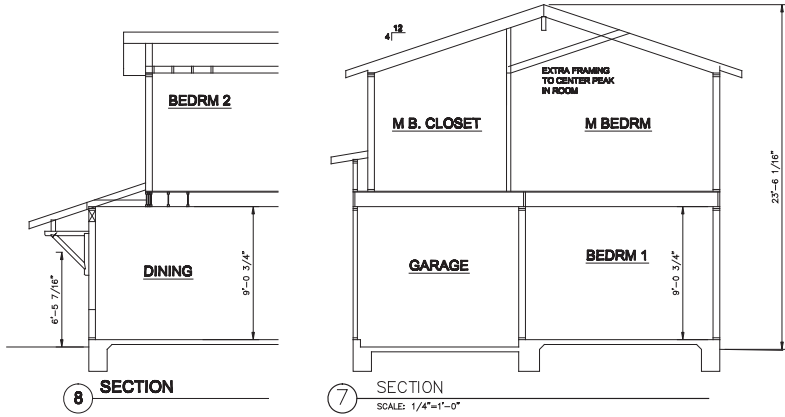
SMITTY HARWOOD

2825 CAROLINA AVE.
NEWHOOD CITY, GA
30159
909-222-0272

DRAWING DATE
6/23/2021

DRAINAGE &
LANDSCAPE
UPDATE
8/4/2021

REVISION	DESCRIPTION	DATE



Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

HARWOOD - NEW HOUSE
1485 47th AVE., CAPITOLA CA

Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

Stormwater Pollution Prevention and Protection for Construction Projects

In the City of Capitola, water in streets, gutters, and storm drains flows directly to local creeks and Monterey Bay without any treatment. When debris, paint, concrete and other harmful pollutants from construction sites and home construction projects get spilled, leached or washed into the street or storm drain they can damage sensitive creek habitats and end up polluting our bay and coast.

In order to reduce the amount of pollutants reaching local storm drains and waterways, the City has developed "Best Management Practices" (BMPs) for construction work. All types of construction projects are required to abide by the following mandatory BMPs. These BMPs apply to both new and remodeled residential, commercial, retail, and industrial projects.

In addition to the following mandatory BMPs, the Central Coast Regional Water Quality Control Board (Regional Water Board) under the State Water Resources Control Board (State Water Board) requires coverage under and adherence to the Construction Activities Storm Water General Permit, or CGP, to regulate storm water runoff from construction sites. In general, any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a net disturbance of equal to or greater than one acre, needs storm coverage under the CGP. Construction activities associated with Linear Underground Projects (LUPs) also require coverage under the CGP. It should be noted that SWPPP development and implementation (inspection, tracking) associated with sites subject to the CGP (excluding water sites) must be done by a qualified SWPPP developer (QSD), respectively. More information on the CGP and QSD/QSPs may be found at [http://www.waterboards.ca.gov/centralcoast/regions/centralcoast.htm](http://www.waterboards.ca.gov/centralcoast/regions/centralcoast/centralcoast.htm)

General Construction & Site Supervision
All construction BMPs, sediment and erosion control must be installed prior to beginning construction and maintained throughout the project duration. Compliance with the CGP and below BMPs is required year round.

General Practices

- 1. Keep an orderly site and ensure good housekeeping practices are used.
- 2. Maintain equipment properly.
- 3. Cover materials when they are not in use.
- 4. Keep materials away from streets, gutters, storm drains and drainage channels.
- 5. Ensure dust control water does not leave the site or discharge to storm drains.
- 6. Train your employees on these BMPs and familiarize them with storm water issues prior to beginning work. Inform your subcontractors about storm water requirements and be sure that they also abide by these BMPs.
- 7. Refer to the following approved references for BMP selection, implementation, and on-site management (most recent versions unless otherwise noted):
 - Erosion & Sediment Control Field Manual, California Regional Water Quality Control Board San Francisco Bay Region, Fourth Edition August 2002.
 - Manual of Standards for Erosion and Sediment Control Measures, Association of Bay Area Governments (ABAG)
 - Construction Best Management Practices (BMPs) Handbook, California Stormwater Quality Association (CASQA)
 - Construction Site Management Practices (BMPs) Handbook, Storm Water Quality Handbook, California

Good Housekeeping Practices

- 1. Designate one area of the site located away from storm drains, drainage swales, and creeks for auto parking and heavy equipment storage, vehicle refueling and routine equipment maintenance.
- 2. To prevent off-site tracking of dirt, provide site entrances with stabilized aggregate surfaces or provide a tire wash area on the site, but away from storm inlets or drainage channels. Must, dirt, gravel, sand and other materials tracked or dropped on city streets must be cleaned up to prevent washing into the storm drains.
- 3. Keep materials and soil stockpiles out of the rain and prevent runoff contamination from the site. Store materials, stockpiles and excavation soils under cover and protected from wind, rain, and runoff. Cover exposed piles of construction materials or soil with plastic sheeting or other protective covers. Before rainfall events, sweep and remove material from surfaces that drain to storm inlets and/or drainage channels.
- 4. Place trash cans around the site to reduce litter. Dispose of non-hazardous construction wastes in covered dumpsters or recycling receptacles.
- 5. Keep dumpster lids closed and secured. For dumpsters or bins that don't have a lid, cover them with plastic or plastic sheeting, secured around the exterior of the dumpster or place them under temporary roofs. Never clean out a dumpster by hosing it down on the construction site.

NOT TO SCALE	STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION FOR CONSTRUCTION PROJECTS	DRAWN BY: M.P.	DRAWING No. STRM-BMP-1
CHECKED BY: S.E.J.	STEWART ALBERICI, PUBLIC WORKS DIRECTOR	DRAWN 2/14	REV:

- 1. Clean up leaks, drips and other spills immediately so that they do not contaminate the soil or runoff nor leave residue on paved surfaces. Use dry cleanup methods whenever possible. Water may only be used in minimum quantities to prevent dust.
- 2. If portable toilets are used, ensure that the leasing company properly maintains the toilets and promptly makes repairs. Conduct visual inspections for leaks.
- 3. Protect vegetation and trees from accidental damages from construction activities by surrounding them with fencing or tree armoring.

Advanced Planning

- 1. Site development shall be fitted to the topography and soils in order to minimize the potential for erosion.
- 2. Soil grading/clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones must be determined on site to prevent excessive or unnecessary disturbances and exposures prior to construction.
- 3. Schedule excavation and grading activities for dry weather periods. To reduce soil erosion, plant temporary vegetation or place other erosion controls before rain begins.
- 4. Conduct grading operations in phases in order to reduce the amount of disturbed areas and exposed soil at any one time.
- 5. Unless specifically approved on the project's drainage plan, grading, sediment and erosion control plan, clearing, excavation and grading shall not be conducted during rainy weather. All rainy season grading shall be in accordance with Capitola Municipal Code Chapter 15.29.
- 6. Control the amount of runoff crossing your site especially during excavation by using berms and temporary drainage ditches or bio-swales to divert water flow around the site. Reduce stormwater runoff velocity by constructing temporary check dams or berms where appropriate.

Materials & Waste Handling

- 1. Practice containment "Source Reduction" by estimating carefully and minimizing waste when ordering materials.
- 2. Recycle excess materials such as concrete, asphalt, scrap metal, solvents, degreasers, paper, and vehicle maintenance materials whenever possible.
- 3. Dispose of all wastes properly by ensuring that materials that cannot be recycled are taken to an appropriate land fill or disposed of as hazardous waste. Never bury waste materials or leave them in the street or near a creek or drainage channel.

Landscaping, Gardening & Ponds/Fountains/Pool/Spa Maintenance
Many landscaping activities and practices expose soils and increase the likelihood of water runoff that will transport earth, sediments and garden chemicals to the storm drain during irrigation or rain events. Other exterior amenities such as ponds, pools and spas require regular maintenance using chlorine and/or copper based algaecides. Water treated with these chemicals is toxic to aquatic life and should never be discharged to the storm drain.

Landscaping & Garden Maintenance

- 1. Protect stockpiles and landscaping materials from wind and rain by storing them under tarps or secured plastic sheeting.
- 2. Schedule grading and erosion control during dry weather conditions.
- 3. Use temporary check dams or ditches to divert runoff away from storm drains or drainage channels.
- 4. Protect storm drain inlets with sandbags, gravel filter bags, straw wattles, filter fabric or other sediment controls.
- 5. Re-vegetation is an excellent form of erosion control for any site.
- 6. Never camp or leave soil, mulch, or other landscape products in the street, gutter, or storm drain.

Ponds/Fountains/Pool/Spa Maintenance
When draining a pond, fountain, pool or spa, any volumes in excess of 500 gallons must be reported in advance to the City of Capitola Public Works Department. The City will provide guidance on handling special cleaning waste, flow rate restrictions and backflow prevention.

Preventing Water & Sediment Runoff
Effective erosion and sediment control measures must be implemented and maintained on all disturbed areas in order to prevent a net increase of sediment in the site's storm water discharge relative to pre-construction levels. During the rainy season, erosion control measures must also be located at all appropriate locations along the site's perimeter and at all inlets to the storm drain system. Effective methods to protect storm drain inlets include sand bag barriers, heavy rubber mats to cover and seal the inlet, and sediment traps or barriers. Refer to the Erosion & Sediment Control Field Manual, California Regional Water Quality Control Board San Francisco Bay Region, Fourth Edition August 2002, and the most recent versions of the Manual of Standards for Erosion and Sediment Control Measures, Association of Bay Area Governments (ABAG), and Construction Best Management Practices (BMPs) Handbook, California Stormwater Quality Association (CASQA).

NOT TO SCALE	STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION	DRAWN BY: M.P.	DRAWING No. STRM-BMP-2
CHECKED BY: S.E.J.	STEWART ALBERICI, PUBLIC WORKS DIRECTOR	DRAWN 2/14	REV:

- 1. Effective filtration devices, barriers, and settling devices shall be selected, installed and maintained properly.
- 1. Silt fences must be installed so that the drainage around each fence does not create additional erosion and rills down slope of the fence.
- 1. If silt wattles are used to filter sediment runoff, ensure that the bales are actually filtering the water (and not just causing the water to travel around the bale) and that the straw pieces are not carried into the storm drain system.
- 1. Whenever possible, use terracing, surface roughening (e.g. with a bulldozer), and energy dissipaters (such as riprap, sand bags and rocks) on slopes to reduce runoff velocity and trap sediments. Do not use asphalt rubble or other demolition debris for this purpose.
- 1. All on-site erosion control measures and structural devices, both temporary and permanent, shall be properly maintained so that they do not become nuisances with stagnant water, odors, insect breeding, heavy algae growth, debris, and/or safety hazards.
- 1. A qualified person should conduct inspections of all on-site BMPs during each rainstorm and after a storm is over to ensure that the BMPs are functioning properly. For sites greater than one-acre, onsite inspections are required in accordance with the CGP.

Earth Moving Activities & Heavy Equipment
Soil excavation and grading operations loosen large amounts of soil that can be transported into storm drains when handled improperly. Effective erosion control practices reduce the amount of runoff crossing a site and slow the flow with check dams or roughened ground surfaces. Often, earth moving activities require use and storage of heavy equipment. Poorly maintained vehicles and heavy equipment that leak fuel, oil, antifreeze or other fluids onto the construction site are common sources of storm drain pollution.

Site Planning

- 1. Maintain all heavy equipment, inspect frequently for leaks, and repair leaks immediately upon discovery.
- 1. Perform major auto or heavy equipment maintenance, repair jobs and vehicle or equipment washing off-site.
- 1. If you must drain and replace motor oil, radiator coolant or other fluids on site, use drip pans, plastic sheeting or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers and properly dispose as hazardous waste. Recycle whenever possible.
- 1. Do not use diesel oil to lubricate equipment parts or clean equipment. Only use water for onsite cleaning.
- 1. Cover exposed fifth wheel hitches and other oily or greasy equipment during all rain events.

Practices During Construction

- 1. Remove existing vegetation only when absolutely necessary. Plant temporary vegetation for erosion control on slopes or where construction is not immediately planned.
- 1. Protect down slope drainage courses, creeks and storm drains with wattles or temporary drainage swales.
- 1. Use check dams or ditches to divert runoff around excavations. Refer to the Erosion & Sediment Control Field Manual, California Regional Water Quality Control Board San Francisco Bay Region, Fourth Edition August 2002, and the most recent versions of the Manual of Standards for Erosion and Sediment Control Measures, Association of Bay Area Governments (ABAG), and Construction Best Management Practices (BMPs) Handbook, California Stormwater Quality Association (CASQA).
- 1. Cover stockpiles and excavated soil with secured tarps or plastic sheeting.

Spill Clean Up

- 1. Maintain a spill clean-up kit on site.
- 1. Clean up spills immediately. Use dry cleanup methods if possible.
- 1. Never hose down dirty pavement or impermeable surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter and/or rags) whenever possible and properly dispose of absorbent materials.
- 1. Sweep up spilled dry materials immediately. Never attempt to wash them away with water or by them.
- 1. Use as little water as possible for dust control. If water is used, ensure it does not hose off or discharge to storm drains.
- 1. Call 911 for significant spills. If the spill poses a significant hazard to human health and safety, you must also report it to the State Office of Emergency Services.

NOT TO SCALE	STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION	DRAWN BY: M.P.	DRAWING No. STRM-BMP-3
CHECKED BY: S.E.J.	STEWART ALBERICI, PUBLIC WORKS DIRECTOR	DRAWN 2/14	REV:

Painting, Varnish & Application of Solvents & Adhesives
Paints, varnishes and adhesive contain chemicals that are harmful to wildlife and aquatic life in our community. Toxic chemicals may come from liquid or solid products or from cleaning residues or rags. Paint materials and wastes, adhesives and cleaning fluid should be recycled when possible or properly disposed to prevent these substances from entering the storm drain and waterways.

Handling of Surface Coatings

- 1. Keep paint, varnish, solvents and adhesive products and wastes away from the gutter, street and storm drains. Wastewater or runoff containing paint or paint thinner must never be discharged into the storm drain system.
- 1. When there is a risk of a spill reaching the storm drain, nearby storm drain inlets must be protected prior to starting painting.

Removal of Surface Coatings

- 1. Non-hazardous paint chips and dust from dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.
- 1. Chemical paint or varnish stripping residue, chips and dust from marine paints or varnishes, or paints containing lead, mercury or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor. Paint may be tested for lead by taking paint scrapings to a local, state-certified laboratory.
- 1. When stripping or cleaning building exteriors with high-pressure water, block storm drains to prevent flow to creeks and the Monterey Bay.
- 1. Wash water from painted buildings constructed pre-1978 can contain high amounts of lead even if paint chips are not present. Before stripping paint or cleaning a pre-1978 building's exterior with water under high pressure, test paint for lead by taking paint scrapings to a local, state-certified laboratory.

Clean Up of Surface Coatings

- 1. Never clean brushes or rinse paint or varnish containers into a gutter, street, storm drain, French drain or creek.
- 1. For water based paints, paint out brushes to the extent possible and rinse into an interior area drain that goes to the sanitary sewer.
- 1. For oil based paints, paint out brushes to the extent possible and clean with thinner or solvent. Filter and reuse thinners and solvents where possible. Dispose of excess thinner and residue as hazardous waste.
- 1. When thoroughly dry, empty paint cans, used brushes, rags and drop cloths may be disposed of as garbage.

Disposal of Surface Coatings

- 1. Recycle, return to supplier, or donate unwanted water-based (latex) paint. Oil-based paint may be recycled or disposed of as hazardous waste. Varnish, thinners, solvents, glues and cleaning fluids must be disposed of as hazardous waste.
- 1. When the job is complete, materials and dispose of properly. Never leave or abandon materials onsite, and ensure that nothing has drifted toward the street, gutter, or catch basin.

Roadwork & Paving

- 1. Protect nearby storm drain inlets and adjacent water bodies prior to breaking up asphalt or concrete.
- 1. The discharge of raw cut slurry into the storm drain system is prohibited. Take measures to contain the slurry and protect nearby catch basins or gutters. If slurry enters the storm drain system, remove material immediately.
- 1. Do not, ever cut slurry must be cleaned up and properly disposed so that it will not be carried into the storm drain system by wind, traffic, or rainfall.
- 1. After breaking up old pavement, sweep up materials and recycle as much as possible. Properly dispose of non-recyclable materials.
- 1. Cover and seal nearby storm drain inlets and manholes before applying seal coat, slurry seal, etc. Leave covers in place until the oil sealant is dry.
- 1. In the event of rain during construction, divert runoff around work areas and cover materials.
- 1. Park paving machines over dip pans or absorbent materials.
- 1. Never wash sweepings from exposed aggregate concrete into a street or a storm drain inlet. Collect and return to aggregate base stockpile or dispose of in the trash.
- 1. Remove and clean up material stockpiles (i.e. asphalt and sand) by the end of each week or, if during the rainy season, by the end of each day. Stockpiles must be removed by the end of each day if they are located in a public right-of-way.

NOT TO SCALE	STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION	DRAWN BY: M.P.	DRAWING No. STRM-BMP-4
CHECKED BY: S.E.J.	STEWART ALBERICI, PUBLIC WORKS DIRECTOR	DRAWN 2/14	REV:

Concrete, Cement, & Masonry Products

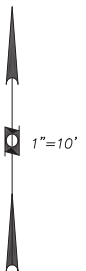
- 1. Concrete, cement, masonry products, sediment or Portland cement water shall never be discharged into or allowed to reach the storm drain system.
- 1. Avoid mixing excess amount of fresh concrete or cement mortar on-site.
- 1. During the curing, ensure that the slurry water does not run off into the street or storm drain system. The discharge of slurry to the storm drain system is prohibited. Dried slurry must be cleaned up and disposed of properly.
- 1. Concrete, cement, and masonry mixing containers may not be washed or rinsed into the street or storm drain system. If a concrete barrel mixer is used, a suitable washout box, excavation or self-washing must be able to contain waste material that is provided on-site.
- 1. Never wash or rinse mixing containers and tools into the gutter, street, storm drain inlet, drainage ditches or water body.
- 1. If conducting sidewalk work, material stockpiles must be removed and cleaned up by the end of each day. Sweep or collect unused materials and debris that remain on pavement and dispose of properly.
- 1. When the job is completed, collect all unused or waste materials and dispose of properly. Never leave or abandon materials onsite. Ensure that nothing has drifted towards the street, gutter or catch basin.

Site Clean Up

- 1. Clean up by sweeping instead of hosing down whenever possible. Dispose of filler and debris in the garbage.
- 1. The street, sidewalk and other paved areas may not be cleaned by washing or by dumping sediment, concrete, asphalt, or other particles into the storm drain system. If water is used to flush sediment or particles from pavement, the water must be directed to a landscaped or grassy area large enough to absorb all the water.
- 1. If conducting road or sidewalk work, materials stockpiles must be removed and cleaned up by the end of each work day.
- 1. Discarded building materials and demolition wastes must never be left in a street, gutter, or waterway. Dispose of all wastes properly including leftover paint and chemicals. Materials that cannot be reused or recycled must be taken to the landfill or disposed of as hazardous waste.

Signed and Agreed to by:
Project Owner or General Contractor _____ Date: _____
Signed: _____
Print Name: _____

NOT TO SCALE	STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION	DRAWN BY: M.P.	DRAWING No. STRM-BMP-5
CHECKED BY: S.E.J.	STEWART ALBERICI, PUBLIC WORKS DIRECTOR	DRAWN 2/14	REV:



GARNET STREET
(40' WIDE)

GARNET STREET
(40' WIDE)

BASIS OF BEARINGS: NORTH 00° 15' WEST
ESTABLISHED BETWEEN MONUMENTS FOUND AS SHOWN ON THE WEST SIDE
OF FORTY SEVENTH AVENUE AT THE NORTHEAST AND SOUTHWEST CORNERS
OF BLOCK 8 AND AS THESE MONUMENTS AND BEARING ARE SHOWN ON THE
CORNER RECORD FILED AS DOCUMENT 542, SANTA CRUZ COUNTY RECORDS.

DOUGLAS S. MOORE
KAREN C. MOORE
TRUSTEES
2008-0040638
A.P.N. 034-034-09
LOT 9, BLOCK 8
18-M-40

EXISTING HOUSE
1485 FORTY SEVENTH AVE.
TAMBI HARWOOD
SMITTY HARWOOD
2021-0010311
A.P.N. 034-034-10
LOT AREA=3200 S.F.
18-M-40
OPAL SUB. NO. 1
OF FAIRVIEW TR.

GARAGE

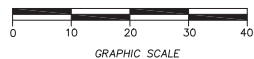
CAROL M. McNULTY
1996-0044771
A.P.N. 034-034-12
LOT 12, BLOCK 8
18-M-40

MICHAEL R. ST JOHN
2003-0028641
A.P.N. 034-034-11
LOT 11, BLOCK 8
18-M-40

JEWEL STREET
(40' WIDE)

FORTY SEVENTH AVE.
(WIDTH VARIES)

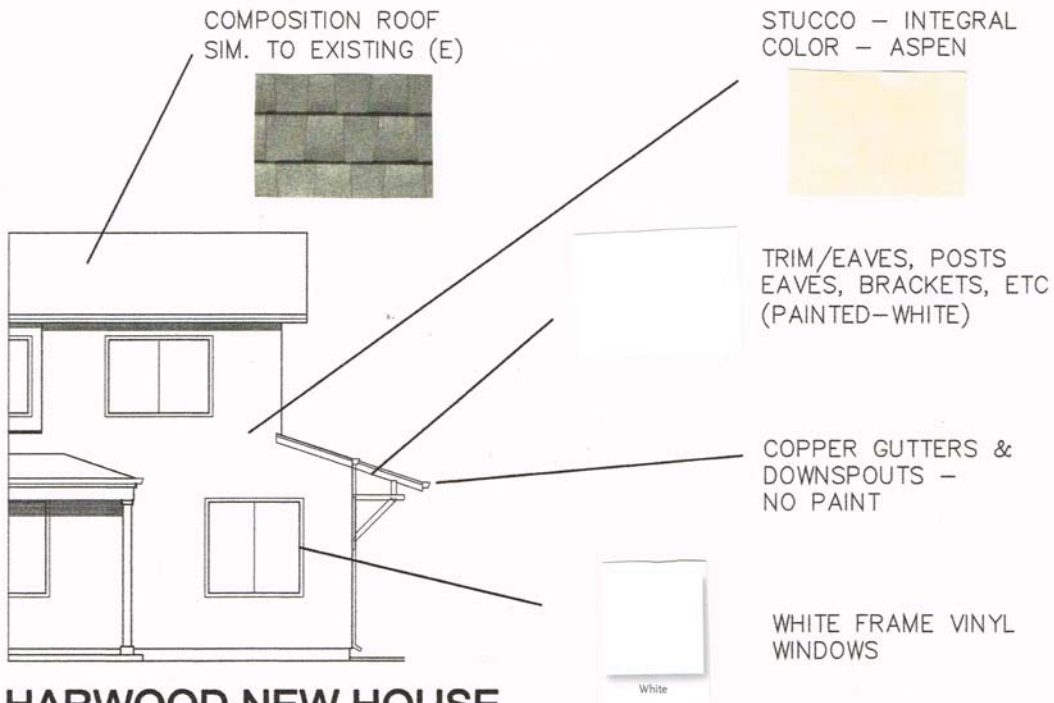
- LEGEND**
- Indicates survey monument found as noted hereon.
 - ⊙ Indicates survey reference point set as noted.
 - Indicates nothing found or set.
 - × Indicates spot elevation of existing surface.
 - All distances shown are in feet and decimals thereof unless noted.
 - Indicates existing board fence.
 - ⊕ Indicates 'electric meter' on so. side of 'job johnny'.
 - FF Indicates 'finished floor'.
 - FL Indicates 'flow line'.
 - ⊙ Indicates 'gas'.
 - LG Indicates 'lip of concrete gutter plate'.
 - SSMH Indicates 'sanitary sewer manhole'.
 - SSCO Indicates 'sanitary sewer clean-out'.
 - TBSW Indicates 'top back of sidewalk'.
 - TC Indicates 'top of curb'.
 - WM Indicates 'water meter'.



SURVEYOR'S MAP
SHOWING BOUNDARY & TOPOGRAPHIC DATA ON
LOT 10 IN BLOCK 8, 18-M-40
"OPAL SUBDIVISION NO. 1"
WITHIN THE CITY OF
CAPITOLA, CALIFORNIA
SCALE: 1"=10' JUNE 2021
BY: MICHAEL F. BEAUTZ, C.E.
A.P.N. 034-034-10 SHEET 1 OF 1

Attachment: 1485 47th Avenue - Plan Set (1485 47th Avenue)

11/15/2019 10:11



HARWOOD NEW HOUSE
1485 47th AVE., CAPITOLA CA
APN 034-068-14

JOHN HOFACRE
 ARCHITECT
 CAPITOLA, CA
 6/25/21

Design Permit Design Review Criteria

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 19, 2021
 SUBJECT: **208 Magellan Street #21-0057 APN: 036-194-04**

Design Permit for a second-story addition to a nonconforming single-family residence with a Minor Modification for a reduced second-story side setback located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Kent & Julie Cramer

Representative: Daryl Woods, Filed: 02.16.2021

APPLICANT PROPOSAL

The applicant is proposing a 438-square-foot, second-story addition to a nonconforming single-family residence located at 208 Magellan Street within the R-1 (Single-Family Residential) zoning district. The application requires Planning Commission approval of a design permit and a minor modification for a reduced second-story side yard setback.

BACKGROUND

On July 14, 2021, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: provided required modification to site drainage.

Building Official, Robin Woodman: had no comments.

Associate Planner, Matt Orbach: explained the minor modification findings to the applicant.

Following the Architecture and Site Review Committee meeting, the applicant submitted revised plans to address the site drainage comments from the Public Works Department. The updated plans did not adequately address the issue. Public Works added a condition of approval requiring a curb drain to be incorporated into the plans prior to issuance of a building permit. This additional condition is included as Condition #19.

Development Standards

The following table outlines the zoning code requirements for development in the R-1 Zoning District. The application complies with all development standards except for the second story side yard setback requirement.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height				
R-1 Regulation	Existing		Proposed	
25 ft.	13 ft. 9 in.		22 ft. 9 in.	
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	6,273 sq. ft.		6,273 sq. ft.	
Maximum Floor Area Ratio	48% (Max 3,011 sq. ft.)		48% (Max 3,011 sq. ft.)	
First Story Floor Area	2,183 sq. ft.		2,183 sq. ft.	
Second Story Floor Area	N/A		438 sq. ft.	
TOTAL FAR	34.8% (2,183 sq. ft.)		41.7% (2,621 sq. ft.)	
Yards (setbacks are measured from the edge of the public right-of-way)				
	R-1 Regulation	Existing	Proposed	
Front Yard 1st Story	15 ft.	20 ft. 6 in.	20 ft. 6 in.	
Front Yard 2nd Story & Garage	20 ft.	2nd Story – N/A Garage – 20 ft. 6 in.	2nd Story – 39 ft. 4 in. Garage – 20 ft. 6 in.	
Side Yard 1st Story	10% lot width	Lot width: 65 ft. 6 in. 6 ft. 6 in.	North – 6 ft. 0 in. South – 8 ft. 8 in.	North – 6 ft. 0 in. South – 8 ft. 8 in. Existing Non-Conforming
Side Yard 2nd Story	15% of width	Lot width: 65 ft. 6 in. 9 ft. 10 in.	N/A	North – 37 ft. 0 in. South – 8 ft. 10 in. Request for Minor Modification
Rear Yard 1st Story	20% of lot depth	Lot depth: 99 ft. 5 in. 19 ft. 11 in.	23 ft. 0 in.	23 ft. 0 in.
Rear Yard 2nd Story	20% of lot depth	Lot depth: 99 ft. 5 in. 19 ft. 11 in.	23 ft. 0 in.	23 ft. 0 in.
Encroachments (list all)	Existing residence encroaches into north side setback. Proposed second-story encroaches into south side setback.			
Parking				
	Required	Existing	Proposed	
Residential (from <u>2,001</u> up to <u>2,600</u> sq. ft.)*	3 spaces total 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered	
*Garage floor area exempt from parking calculation				
Underground Utilities: required with 25% increase in area			Not Required	

DISCUSSION

The existing residence at 208 Magellan Street is a nonconforming, one-story, single-family residence. The lot is located in the Cliffwood Heights neighborhood and is surrounded by one- and two-story single-family homes. The application requires a design permit and a minor modification.

Design Permit

The applicant is proposing to construct a 438-square-foot, second-story addition. The existing home has vertical T-111 plywood siding which will be freshly painted. The proposed addition is setback on the south side of the home. The design includes a Dutch hip roof with asphalt shingle roofing which compliments the roof design of the existing structure. Horizontal cement lap board siding and vinyl windows are proposed on the new addition. The existing sliding door on the first story which faces the rear yard will be enlarged with a new aluminum sliding glass door. The three required onsite parking spaces exist onsite; one within the attached garage and two within the driveway behind the garage.

When considering design permit applications, the Planning Commission evaluates applications to ensure that they satisfy the applicable design permit criteria of Zoning Code section 17.120.070.A-S, to ensure the proposed design satisfies the 19 listed criteria, to the extent the criteria apply. The design criteria to be considered are included as Attachment 3. In staff's review of the application, the proposed single-family home satisfies all the applicable design criteria; therefore, the required findings to issue a design permit are included in the findings section at the report.

Minor Modification

The applicant is requesting a minor modification to the second-story setback on the south side of the home. A minor modification allows up to a ten percent deviation from a physical development standard that applies to the subject property. A ten percent modification to the required second-story setback would allow the proposed design.

The required second-story side yard setback is nine feet ten inches from the property line. The applicant is proposing the second story be in alignment with the first story located eight feet ten inches from the property line. The reason for this request is to utilize the structural support of the existing walls on the first floor.

To approve a minor modification, the Planning Commission shall make all of the findings in CMC §17.136.060. The findings are included below with staff analysis.

- A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

Staff Analysis: Within the Cliffwood Heights neighborhood, many of the homes have nonconforming side yard setbacks. The adjacent structure at 212 Magellan Street is one example of a home which is non-conforming in terms of side yard setbacks.

- B. The modification will not adversely impact neighboring properties or the community at large.

Staff Analysis: The addition is proposed within nine feet of the south property line. The proposed project includes two windows along the proposed second story on the south elevation. The windows are adjacent to the single-story structure and not directly next to the backyard of the neighboring property.

- C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

Staff Analysis: The applicant is requesting the minor modification to construct the second-story wall on top of the existing wall on the first story as it can sustain more weight and will require less structural improvements. The first story is setback eight feet ten inches from the property line, almost three feet more than the required six feet by code.

- D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.

Staff Analysis: Under Capitola Municipal Code §17.16.010, the purpose of residential zoning districts is “to support attractive, safe, and friendly neighborhoods consistent with Capitola’s intimate small-town feel and coastal village charm.” Development should “feature high-quality design that enhances the visual character of the community” and the “mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes.” The main purpose of the increased second-story side setback is to reduce second-story massing along the side lot lines. As stated within criteria C, the first floor is setback almost three feet more than the required first floor setback. This provides increase spacing between the homes than is typical and required. The modification would permit an 18 and a half feet tall, two-story wall one foot closer than required by code.

- E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.

Staff Analysis: General Plan Policy LU-5.3 states that the mass, scale, and height of new development should be compatible with existing homes within residential neighborhoods. There are many homes within the Cliffwood Heights neighborhood with nonconforming first-story side setbacks and a few two-story properties with existing nonconforming second-story side setbacks.

- F. The modification will not establish a precedent.

Staff Analysis: As previously mentioned, the majority of single-family residences in the Cliffwood Heights neighborhood have nonconforming first-story side setbacks because they were built under a previous zoning code with different setback requirements. The subject property, however, has an existing first-story that exceeds the required first-story setback by a large enough amount that it comes within ten percent of the required second-story side setback. Most properties in the neighborhood with nonconforming side setbacks would not be able to construct second-story additions at the same setback as the nonconforming first-story walls because they are not within ten percent of the required second-story side setback. Therefore, this modification would not establish a precedent.

- G. The modification will not adversely impact coastal resources.

Staff Analysis: The subject property is not located in an area with coastal resources, therefore the modification will not adversely impact coastal resources.

Nonconforming

The existing structure is located within the first-story north side setback. The existing structure does not comply with the setback regulations of the zoning code and therefore is a legal non-

conforming structure. Pursuant to Capitola Municipal Code (CMC) §17.72.070, if proposed structural alterations to an existing non-complying structure exceed 80% of the present fair market value of the structure, the proposed structural alterations may not be made. The applicant has submitted a construction cost breakdown demonstrating that the proposed structural alterations are 27% of the present fair market value of the structure, so the alterations are permissible. The construction cost breakdown is included as Attachment 2.

CEQA

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 additions add 438 square feet (19.9%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during project review by Planning Department Staff.

RECOMMENDATION

Staff recommends the Planning Commission consider application #21-0057 and approve the application with the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 438-square-foot second-story addition to an existing nonconforming single-family residence with a minor modification for a reduced second-story side setback. The maximum Floor Area Ratio for the 6,273-square-foot property is 48% (3,011 square feet). The total FAR of the project is 41.7% with a total of 2,621 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 August 19, 2021, 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 #21-0057 shall be paid in full.
7. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.

8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
15. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
16. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code §17.156.080.
17. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
19. Prior to issuance of building permits, applicant shall incorporate a curb drain per city standard at the southwest corner of the property.

DESIGN PERMIT FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 438-square-foot second-story addition with a minor modification for a reduced second-story side setback is consistent with the general plan and the local coastal program.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 438-square-foot second-story addition with a minor modification for a reduced second-story side setback complies with the development standards of the R-1 (Single-Family Residential) zoning district.

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

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 additions add 438 square feet (19.9%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during review of the proposed project.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed 438-square-foot second-story addition with a minor modification for a reduced second-story side setback will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The 438-square-foot second-story addition with a minor modification for a reduced second-story side setback complies with the applicable design review criteria as described in the staff report.

- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the 438-square-foot second-

story addition with a minor modification for a reduced second-story side setback. The design of the home, with a Dutch hip roof with Class “B” asphalt shingle roofing and horizontal cement lap board siding, will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

MINOR MODIFICATION FINDINGS

A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

Within the Cliffwood Heights neighborhood, many of the homes have nonconforming side yard setbacks. The adjacent structure at 212 Magellan Street is one example of a home in close proximity which is non-conforming in terms of side yard setbacks.

B. The modification will not adversely impact neighboring properties or the community at large.

The addition is proposed within nine feet of the south property line. The proposed project includes two windows along the proposed second story on the south elevation. The windows are adjacent to the single-story structure and not directly next to the backyard of the neighboring property.

C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

The applicant is requesting the minor modification to construct the second-story wall on top of the existing wall on the first story as it can sustain more weight and will require less structural improvements. The first story is setback eight feet ten inches from the property line, almost three feet more than the required six feet by code.

D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.

Under Capitola Municipal Code §17.16.010, the purpose of residential zoning districts is “to support attractive, safe, and friendly neighborhoods consistent with Capitola’s intimate small-town feel and coastal village charm.” Development should “feature high-quality design that enhances the visual character of the community” and the “mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes.” The main purpose of the increased second-story side setback is to reduce second-story massing along the side lot lines. As stated within finding C, the first floor is setback almost three feet more than the required first floor setback. This provides increase spacing between the homes than is typical and required. The modification would permit an 18 and a half feet tall, two-story wall one foot closer than required by code.

E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.

General Plan Policy LU-5.3 states that the mass, scale, and height of new development should be compatible with existing homes within residential neighborhoods. There are many homes within the Cliffwood Heights neighborhood with nonconforming first-story side setbacks and a few two-story properties with existing nonconforming second-story side setbacks.

F. The modification will not establish a precedent.

The majority of single-family residences in the Cliffwood Heights neighborhood have nonconforming first-story side setbacks because they were built many years ago under a different zoning code. The subject property, however, has a first-story side setback that exceeds the required first-story setback by a large enough amount that it comes within ten percent of the required second-story side setback. Most properties in the neighborhood with nonconforming side setbacks would not be able to construct second-story additions at the same setback as the nonconforming first-story walls because they are not within ten percent of the required second-story side setback. Therefore, this modification would not establish a precedent.

G. The modification will not adversely impact coastal resources.

The subject property is not located in an area with coastal resources, therefore the modification will not adversely impact coastal resources.

ATTACHMENTS:

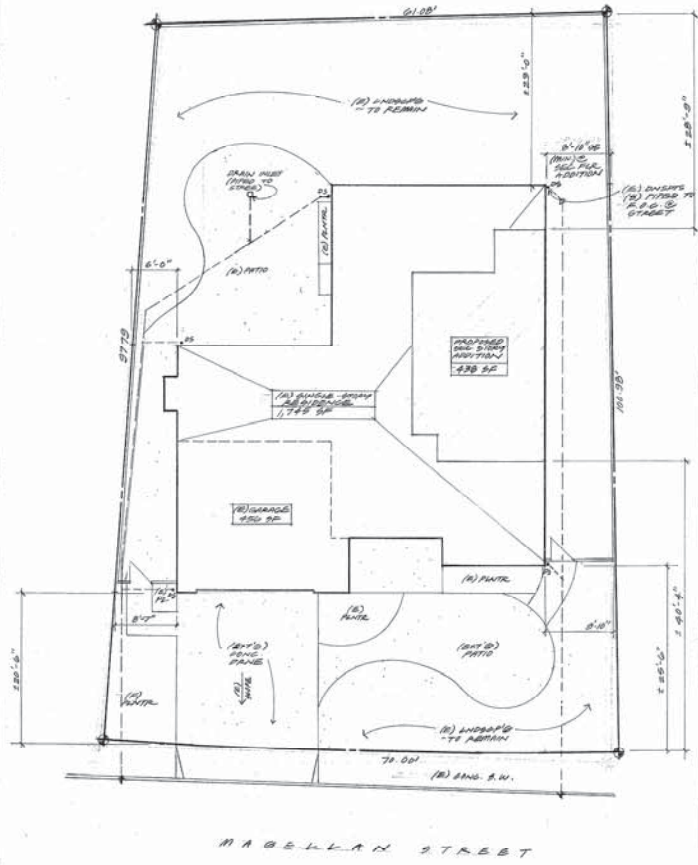
1. 208 Magellan Street - Full Plan Set - 07.20.2021
2. 208 Magellan Street - Construction Cost Breakdown
3. 208 Magellan Street - Colorboard
4. Design Permit Design Review Criteria

Prepared By: Sean Sesanto

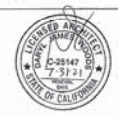
- These specifications are for the Cramer Residence, 208 Magellan St., Capitola, Ca.
- The term "Contractor" as used herein and on the drawings shall also be applicable to each subcontractor as requirements pertain to his/her trade. "Owner" refers to the owner of record or his agent.
- All applicable provisions of the City of Capitola and the California Building Code 2019 edition shall be adhered to in the construction of this project. It is the Contractor's ultimate responsibility to construct the project as per these codes.
- Contractor shall comply with all applicable codes and ordinances. Contractor shall pay all fees, miscellaneous cost, and obtain and pay for all permits necessary to complete all work, with the exception of the Building Permit, which the Owner shall pay for prior to the start of work. Before final acceptance of any part of the work, the contractor shall furnish the Architect with appropriate "Certificates of Inspection" stating that work has been inspected and approved by the Building Department.
- The contractor shall carry in force all needed insurance, licenses, fees, permits, taxes as required by law for the duration of the project.
- The Contractor shall maintain liability insurance to protect himself and hold the owner harmless from any and all claims for damages, for personal bodily injury or death, or property damage, during the course of the contract. (The Owner shall maintain Fire Insurance.)
- Contractor shall provide sufficient means for protecting existing exposed interior finishes new construction and materials from damage by other trades, weather, or vandals for the course of the project. Contractor shall provide all barriers, fences, and other items required by local ordinances and codes.
- All plumbing fixtures, finishes, hardware and miscellaneous items shall be selected and/or approved by the Owner unless notes on plans or following specifications. "Or approved equal" means equal approved by the Owner.
- Field samples and mock-ups shall be prepared at the site by the Contractor as specified in the various sections of specification. "Affected finish work" shall be checked until the Owner has accepted as satisfactory the field samples and/or mock-up in writing. Construction and prepare field samples as mock-ups at locations as directed by the Owner. Field samples and mock-ups shall be removed from the site after completion and acceptance of the affected work or otherwise, as directed by the Owner.
- If the Contractor desires to use any other brand or manufacturer of equal quality, appearance and utility to the product specified, he shall request substitution to the Owner with specification and/or samples. The Owner will accept as satisfactory or reject the request for substitution, and his decision shall be final. Unless substitutions are requested as provided herein, deviations from the drawings and specifications will not be permitted.
- The Owner and immediate neighbors, or neighbors to be affected, should be made aware 24 hours in advance of construction activities that are potentially disruptive. Use of neighbors' property is expressly forbidden without their permission. Contractor will be responsible for any and all damage to such property in the event that damage is done.
- The Owner may order extra work or make changes by altering, adding to, or deducting from the work. The contract sum shall be adjusted accordingly. Changes or alteration, etc. shall be approved by the Architect prior to the start of the work.
- The intent of these documents (i.e., specifications, drawings, and schedules) is to describe the work including all labor, materials, services, equipment, and transportation necessary for complete and proper execution of the work indicated on the drawings or reasonably inferred there from. Where drawings are in conflict, the Contractor is to provide the Owner with the most expensive of conflicting versions.
- The Architect/Engineer will in no way be responsible for how the work is performed, safety in, or about the job site, methods of performance or slowness in the performance of the work.
- Shop and fieldwork shall be performed by mechanics, craftsmen and workers without and experienced in the fabrication and installation of the work involved. All work on this project shall be performed in accordance with the best-accepted practices of the various trades involved and in accordance with the drawings, revised shop drawings, and these specifications.
- The Owner reserves the right to reject any materials and work quantities which are not considered to be up to the highest standards of the various trades involved. Such inferior material or work quality shall be repaired or replaced, as directed, at no additional cost to the Owner.
- These construction documents are based on observation and documentation of existing conditions from documents provided by the Owner. The Owner makes no claims to the accuracy of such observation. Should the Contractor encounter field conditions which vary from these construction documents which affect the intent of these drawings or the contract/contract sum, the Architect shall be immediately notified. The Contractor shall verify at the project site, conditions and measurements related to their work.
- Contractor shall note the drawings. Dimensions of floor plans are shown to face of stud and outside of foundation wall for exterior walls and to centerline of stud for interior walls unless noted otherwise. Written notes take precedence over the drawings.
- Contractor shall notify Owner immediately for directions in the event that any unusual conditions not covered by these notes and documents are encountered during construction.
- The Contractor shall be responsible for the accuracy of the building lines and levels. The Contractor shall complete carefully the lines and levels shown on the drawings with existing levels for the location and construction of the work and shall call the Owner's attention to any discrepancies before proceeding with the work.
- Incidental items, not indicated on the drawings or mentioned in the specifications that can be legitimately and reasonably inferred, belonging to the work described, or are necessary in good practice to provide a complete installation or systems shall be provided and be installed as though called out herein in every detail.
- Contractor shall insure that cutting, fitting, patching, etc. by all trades causes all parts to come together properly. The connection of adjoining materials shall be executed according to instruction by the Architect only.
- Trades shall furnish all labor, equipment, materials and services required to perform all work necessary, indicated, reasonably inferred, or required by any code with jurisdiction to complete that scope of work for a complete and properly finished job using only new material U.N.O. in accordance with the best accepted standards of workmanship. All P.B.O. (furnished by owner) items to be installed by the Contractor.
- The Contractor shall have a superintendent at the construction site whenever any work under this Contract is being performed in order to provide constant supervision.
- Contractor shall maintain the job site in a neat and safe condition in accordance with Title 8 or the Construction Safety Orders as enforced by the Division of Industrial Safety at all times throughout the construction period. The Contractor shall weekly clean-up, remove any debris in a legal manner and debris and waste attributed to the job.
- Contractor shall coordinate with other contractors directly and separately employed by Owner for timely storage and installation of their products. Only new materials shall be used unless otherwise noted on drawings. Materials and products shall be delivered to the building site in original packages. Materials and products shall be stored off ground on wood blocking in an upright position protected from the elements in a manner to prevent damage or marking of finish.
- Contractor shall check and verify size and location of openings for vents, ducts, plumbing runs, electrical fixtures, etc. with mechanical, electrical, and architectural drawings, and mechanical and electrical contractors and shall make all changes (if needed) as approved by the Owner before framing wall and ceilings. Seal between ducts and partitions where required.
- Contractor shall provide and locate access panels as required after installation of mechanical ducts, plumbing, and electrical work. The Architect shall require location.
- All bracing necessary for construction purposes shall be the sole responsibility of the Contractor.
- Contractor shall provide all necessary blocking, stiffening, bracing, frames, hangers, or other support for all fixtures, equipment, cabinetry, furnishings and all other items requiring the same.
- At the time of bid submittal, the Contractor shall advise the Owner (in writing) of any specified materials or equipment which are either unavailable or will cause a delay in the construction completion schedule.
- The Contractor shall identify critical due dates for: A) Owner selections to be purchased and installed by the Contractor. B) Contractor receipt of Owner purchased items to be installed by the Contractor.
- Contractor shall submit (2) copies of required shop drawings, calculations of fabricated products, all finishes materials and (2) copies of manufacturer's catalog sheets, brochures, color samples, installation instructions, etc. on manufactured products used/ordered installed in the project for the Owner's acceptance before purchase or delivery to the site. All shop drawings shall be approved by the Engineer. The Engineer's approval of such drawings shall not relieve the Contractor of responsibility for errors of any sort pertaining to shop drawings.
- Approval of the work in part or as a whole by the Architect/Engineer shall not relieve the Contractor of responsibility for faulty material or workmanship. Such approvals may be withdrawn at any time that subsequent examination reveals apparently satisfactory work that is, in fact, defective or otherwise fails to conform to all requirements of the contract documents. Such work form which approval has been withdrawn shall be replaced or executed in accordance with the contract at no expense to the Owner.
- The Contractor shall be responsible for replacement or repair of any damage caused by him or his subcontractors. The Contractor shall be responsible for any damage to underground utilities encountered in areas where excavations are indicated and shall repair any such damage at his own expense. Where utility lines must be maintained under building, they shall be properly sleeved through foundation walls.
- Contractor shall guarantee all workmanship and materials for one year except where indicated in various specification sections for a longer period. The guarantee period is based on the date of completion of the work, as called out herein. After acceptance of the building, if during the guarantee period any defects or faulty materials are found, the Contractor shall replace and repair them, together with any damage to finish, fixtures, equipment, or furnishings due to defective work, upon notification by the Architect, and at no additional expense to the Owner. Exception: The roofing subcontractor shall submit a maintenance agreement, designed by the Contractor, to maintain the roofing in a watertight condition for a period of one year.
- Contractor shall provide Owner a list of heating, cooling, water heating and lighting systems and fixtures, components and mechanical devices, and instructions on how to use them efficiently. Sec. 1403 (b) 1.
- Contractor shall provide Owner with the original Owner's Manuals and Instructions for all appliances, special equipment, lighting fixtures, plumbing fixtures, mechanical equipment, etc. installed in the building completed in a binder for the Owner's future reference.
- Contractor shall provide Owner with a recommended maintenance schedule for finishes and components of the building that should be attended to regularly, such as painting or wood and metal, cleaning of gutters, replacing filters in the air conditioner and furnaces, etc.
- Smoke detectors required at the existing residence. Detectors to be located in each sleeping room, in the hallway leading to and a min. of (1) at each level. Smoke detectors to be interconnected and hard-wired, per CRC R314.3 & R315.2, where required, exception for solely battery operation, CRC R314.4, no. 3.
- Carbon monoxide alarms are required at the existing residence. Carbon monoxide alarms to be located outside, or in vicinity of sleeping room, and a min. of (1) at each level. Single and multiple stations shall be listed to comply with UL 2034 & UL 2075. Installation shall be in accordance with NFPA 720 and the manufacturer's recommendations. (CRC Sec. R315.3.) Note: Carbon monoxide alarms may be in combination with smoke alarms.
- Owner to be provided building operations and maintenance manual as print, web link, or CD, per Section 4.410.1 "Operation and Maintenance Manual", sheet GB-1.
- HERS Certification required per sheet EN.1.

GENERAL NOTES 5

NOTE: FAR = 2,6994 + 6724 = 9323



ISSUES	DATE
PLAN'S SUBMIT	4-14-2021
PLAN'S SUBMIT	6-24-2021



273 Lindero
La Selva Beach
California
95076
David Woods Architect
831.224.9854

PROJECT OWNER:	Kar	Owner
PROJECT ADDRESS:	208 Mag 310	Magellan Street
PROJECT DESCRIPTION:	Con stru ctio n of a 1- 1/2	438 sq second story addition to 1 1/2 single story residence with two-car garage. Total heated
APH:	036	
LOT SIZE:	1+4	
ZONING:	R-1	
OCCUPANCY:	R-3	
CONSTRUCTION:	Typ	
CODE:	Call for the most re cent 201 and 2019 and 2021 and 2024 and 2029 and 2034 and 2039 and 2044 and 2049 and 2054 and 2059 and 2064 and 2069 and 2074 and 2079 and 2084 and 2089 and 2094 and 2099 and 2104 and 2109 and 2114 and 2119 and 2124 and 2129 and 2134 and 2139 and 2144 and 2149 and 2154 and 2159 and 2164 and 2169 and 2174 and 2179 and 2184 and 2189 and 2194 and 2199 and 2204 and 2209 and 2214 and 2219 and 2224 and 2229 and 2234 and 2239 and 2244 and 2249 and 2254 and 2259 and 2264 and 2269 and 2274 and 2279 and 2284 and 2289 and 2294 and 2299 and 2304 and 2309 and 2314 and 2319 and 2324 and 2329 and 2334 and 2339 and 2344 and 2349 and 2354 and 2359 and 2364 and 2369 and 2374 and 2379 and 2384 and 2389 and 2394 and 2399 and 2404 and 2409 and 2414 and 2419 and 2424 and 2429 and 2434 and 2439 and 2444 and 2449 and 2454 and 2459 and 2464 and 2469 and 2474 and 2479 and 2484 and 2489 and 2494 and 2499 and 2504 and 2509 and 2514 and 2519 and 2524 and 2529 and 2534 and 2539 and 2544 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and 6434 and 6439 and 6444 and 6449 and 6454 and 6459 and 6464 and 6469 and 6474 and 6479 and 6484 and 6489 and 6494 and 6499 and 6504 and 6509 and 6514 and 6519 and 6524 and 6529 and 6534 and 6539 and 6544 and 6549 and 6554 and 6559 and 6564 and 6569 and 6574 and 6579 and 6584 and 6589 and 6594 and 6599 and 6604 and 6609 and 6614 and 6619 and 6624 and 6629 and 6634 and 6639 and 6644 and 6649 and 6654 and 6659 and 6664 and 6669 and 6674 and 6679 and 6684 and 6689 and 6694 and 6699 and 6704 and 6709 and 6714 and 6719 and 6724 and 6729 and 6734	

- These drawings are diagrammatic. The contractor shall be responsible for coordinating its work with all other trades. This includes coordinating the location and size of all openings, location of equipment pads, and changes of elevation.
- Provide full size sketches for future connections at connections to existing stubs. Provide full size sketches for future connections at connections to existing stubs. Provide full size sketches for future connections at connections to existing stubs.
- Insulate hot and cold water, p-trap, and drain piping below all lavatories.
- Slope all condensate drain lines at 1%.
- Slope all sewer piping minimum of 2%.
- Trap all cast iron fixtures except pipe and fittings in and below slab with 8 mill polyethylene trap and 8 inch minimum envelope or clean sand all around pipe.
- All concealed piping shall be installed in strict accordance with the 2019 California Plumbing Code.
- All hot water piping shall be insulated per California Energy Code and the 2019 California Plumbing Code.
- For exact specifications, mounting heights, and location of all plumbing fixtures, refer to architectural drawings.
- The contractor shall visit the site to verify location, elevation and sizes of all existing plumbing and inform the architect of any discrepancies.
- Water closets with a flow rate in excess of 1.0 gpf will need to be replaced with water closets with a maximum flow rate of 1.28 gpf.
- Showers and tub-showers shall be provided with individual control valves of the pressure balance, thermostatic, or combination pressure balance / thermostatic mixing valve type that provide scald and thermal shock protection, per CPC Sec. 408.3

All plumbing fixtures shall comply with the following Plumbing Fixture Schedule:

Unit No.	Description	Notes
WC-1	water closet	one-piece compact elongated 1.28 GPF toilet, as manuf. by Kohler, or equal.
WC-2	water closet (existing)	one-piece compact elongated 1.28 GPF toilet, as manuf. by Kohler, or equal.
SH-1	shower head	1.8 GPM showerhead (w/Chlorine filter)
SH-2	shower head (existing)	2.0 GPM showerhead
F-1	faucet	single-hole bath faucet 1.2 GPM, as manuf. by Grohe, or eq.
F-2	faucet (existing)	single-hole bath faucet 1.5 GPM, as manuf. by Grohe, or eq.
F-3	faucet	kitchen faucet 1.6 GPM, as manuf. by Grohe, or eq.

PLUMBING NOTES

DRAWING NO.	TYPE	SIZE (I.A.)		DETAIL#	REMARKS
		WIDTH	HEIGHT		
10	GLASS	3'-0"	3'-0"		TEMPERED GLASS
11	GLASS	2'-0"	2'-6"		TEMPERED GLASS
12	GLASS	2'-0"	3'-6"		TEMPERED GLASS
13	GLASS	1'-6"	2'-0"		TEMPERED GLASS
14	GLASS	4'-0"	4'-0"		TEMPERED GLASS
15	GLASS	3'-0"	5'-0"		TEMPERED GLASS
16	GLASS	6'-0"	3'-6"		TEMPERED GLASS
17	GLASS	3'-0"	3'-0"		TEMPERED GLASS

WINDOW SCHEDULE

DRAWING NO.	TYPE	MATERIAL	SIZE (I.A.)		HEAD	JAMB	T-MOOD	REMARKS
			WIDTH	HEIGHT				
18	ALUM	1/2"	8'-0"	1'-0"			SLIDING PARTS - SEE NOTE NO 1	
19	WC	WD	2'-8"	6'-8"	1'-0"		TEMPERED GLASS	
20	WC	WD	2'-8"	6'-8"	1'-0"		TEMPERED GLASS	

DOOR SCHEDULE

REMARKS:

WINDOW NOTES:

- ALL NEW WINDOWS IN SIZES AND CONFIGURATIONS SHOWN, TO BE VINYL WINDOWS, AS MANUFACTURED BY "MILGARD WINDOWS AND DOORS" OR EQUAL.
- GLAZING TO BE LOWE INSULATED (U-FACTOR + 0.30 MAX.) AND TEMPERED WHERE REQUIRED PER CBC SEC. 2409, CBC 337.2.1 AND CBC SEC. 709A.2.1.
- THE NRC LABEL, WHICH STATES THE REQUIRED U-VALUE AND SHGC FOR ALL NEW PENETRATION PRODUCTS SHALL NOT BE REMOVED PRIOR TO INSPECTION OR REMOVAL BY A BUILDING INSPECTOR, AND SHALL REFLECT THE VALUES LISTED IN THE ENERGY REPORT, PER FIGURE 1.

GENERAL DEMOLITION NOTES:

Keynoted items are intended to show the general extent of demolition. However, some items may be covered or otherwise are not indicated. Remove all items, whether shown or not, as necessary to accommodate installation of new construction. These may include but are not limited to concrete, blocking, electrical, mechanical and plumbing fixtures, conduits and piping, finishes, equipment, etc. The contractor is responsible for all cutting, patching and demolition required to facilitate the proper installation of all new construction. Where patching is required, new construction (i.e. detail and material) to match or duplicate adjacent surfaces. See sheet GB-1 for "Cal-Green Mandatory Measures", div. 4.4.

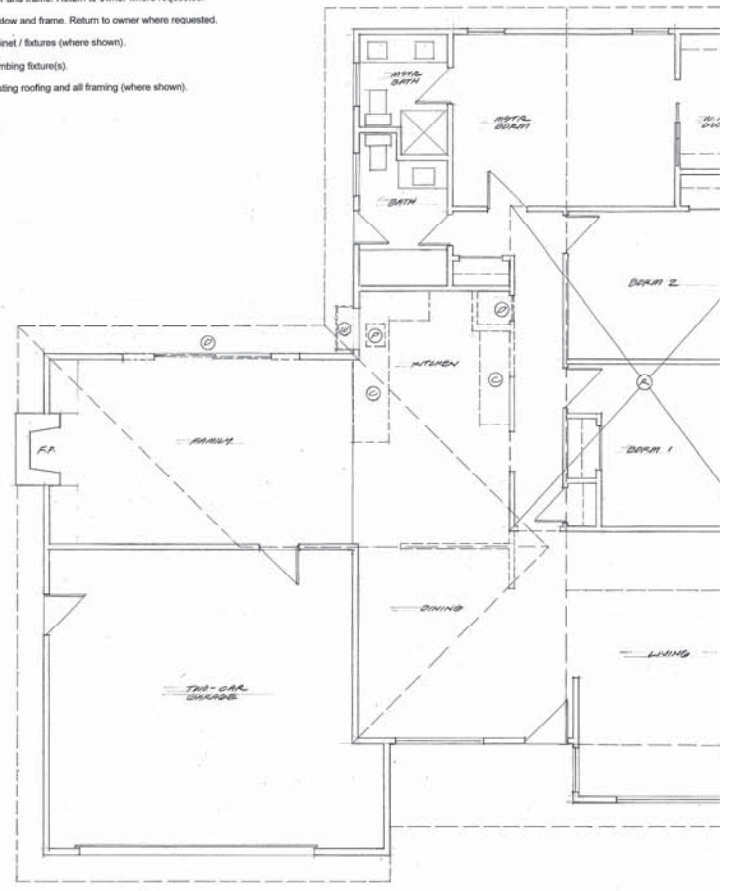
DEMOLITION KEYNOTES:

--- Indicates wall to be removed.

- (D) Remove door and frame. Return to owner where requested.
- (W) Remove window and frame. Return to owner where requested.
- (C) Remove cabinet / fixtures (where shown).
- (P) Remove plumbing fixture(s).
- (R) Remove existing roofing and all framing (where shown).

REMARKS:

- ALL NEW EXTERIOR DOORS IN SIZES AND CONFIGURATIONS SHOWN, TO BE THERMALLY BROKEN ALUMINUM DOORS AS MANUFACTURED BY "LA CARTINA WINDOWS AND DOORS" OR EQUAL.
- GLAZING TO BE LOWE INSULATED (U-FACTOR + 0.31 MAX.) AND TEMPERED WHERE REQUIRED PER CBC SEC. 2409, CBC 337.2.1 AND CBC SEC. 709A.2.1.
- THE NRC LABEL, WHICH STATES THE REQUIRED U-VALUE AND SHGC FOR ALL NEW PENETRATION PRODUCTS SHALL NOT BE REMOVED PRIOR TO INSPECTION OR REMOVAL BY A BUILDING INSPECTOR, AND SHALL REFLECT THE VALUES LISTED IN THE ENERGY REPORT, PER FIGURE 1.



DEMOLITION PLAN (1E) FLOOR 1

ISSUE	DATE
PLNG 00BNT 2	4-14-2021
PLNG 00BNT 1	6-24-2021

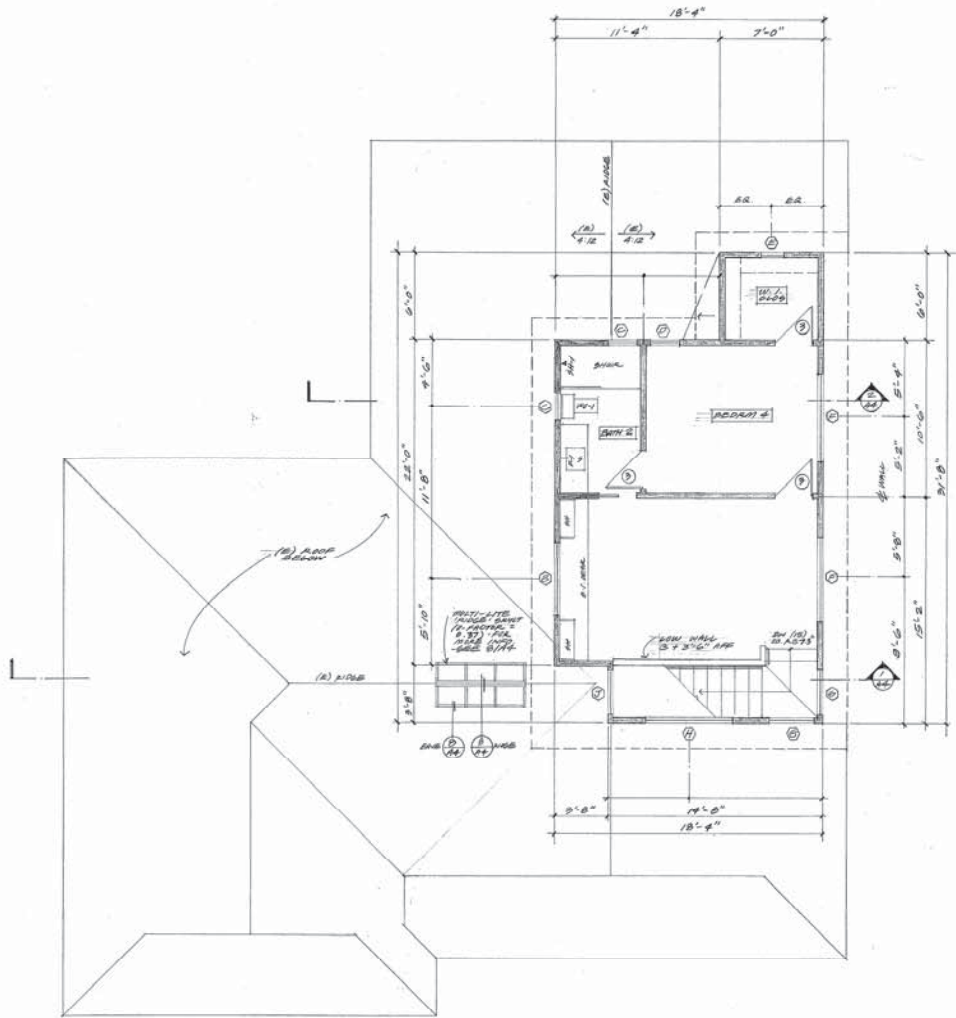


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CRAME
APN: 036-1-

DITION A1

Attachment: 208 Magellan Street - Full Plan Set - 07.20.2021 (208 Magellan Street)

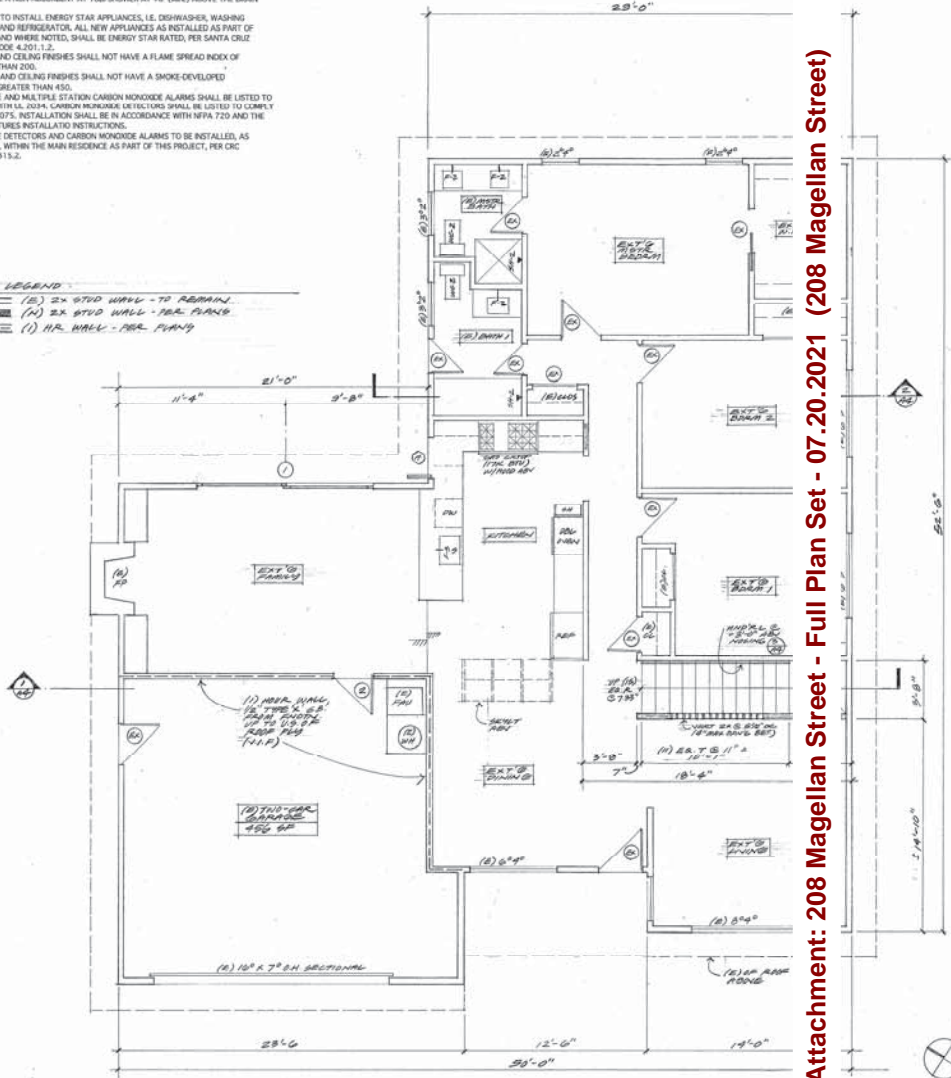


SECOND FLOOR PLAN 1/4" = 1'-0"

FLOOR PLAN NOTES:

1. ALL EXTERIOR WALLS TO BE 2X4 STUDS AT 16" O.C. (U.N.O.)
2. ALL INTERIOR WALLS TO BE 2X4 STUDS AT 16" O.C. (U.N.O.)
3. ALL EXTERIOR WALLS TO BE INSULATED WITH R-15 (MIN.) BATTS (U.N.O.), CONTRACTOR TO INSTALL WHEN BUILDING IS WEATHER TIGHT
4. ALL INTERIOR WALLS TO BE INSULATED WITH R-13 (MIN.) SOUND BATTS (U.N.O.)
5. PROVIDE R-30 (MIN.) BATT INSULATION AT ROOF/CEILING (ATTIC AREAS), CONTRACTOR TO INSTALL WHEN BUILDING IS WEATHER TIGHT
6. ALL OSB/DM BOARD TO BE 1/2" THICK AND OF THE TYPE AS REQUIRED BY THE C.B.C. CHAPTER 25 (U.N.O.)
7. PROVIDE A NON-ABSORBENT AT TUB/SHOWER AT +6" (MIN.) ABOVE THE DRAIN W/LET.
8. OWNER TO INSTALL ENERGY STAR APPLIANCES, I.E. DISHWASHER, WASHING MACHINE, AND REFRIGERATOR. ALL NEW APPLIANCES AS INSTALLED AS PART OF PROJECT AND WHERE NOTED, SHALL BE ENERGY STAR RATED, PER SANTA CRUZ COUNTY CODE 4.201.1.1.2
9. WALL AND CEILING FINISHES SHALL NOT HAVE A FLAME SPREAD INDEX OF GREATER THAN 200.
10. WALL AND CEILING FINISHES SHALL NOT HAVE A SMOKE DEVELOPED INDEX OF GREATER THAN 450.
11. SINGLE AND MULTIPLE STATION CARBON MONOXIDE ALARMS SHALL BE LISTED TO COMPLY WITH 16.0024. CARBON MONOXIDE DETECTORS SHALL BE LISTED TO COMPLY WITH 16.2075. INSTALLATION SHALL BE IN ACCORDANCE WITH NFPA 720 AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
12. SMOKE DETECTORS AND CARBON MONOXIDE ALARMS TO BE INSTALLED, AS REQUIRED, WITHIN THE MAIN RESIDENCE AS PART OF THIS PROJECT, PER CRC 8214.3, 8215.2.

- WALL LEGEND
- (1) 2" STUD WALL - TO REMAIN
 - (2) 2" STUD WALL - FOR FINISH
 - (3) RR. WALL - FOR FINISH



GROUND FLOOR PLAN

ISSUE	DATE
PLN'G SUBMIT 1	4-19-2021
PLN'G SUBMIT 2	6-24-2021

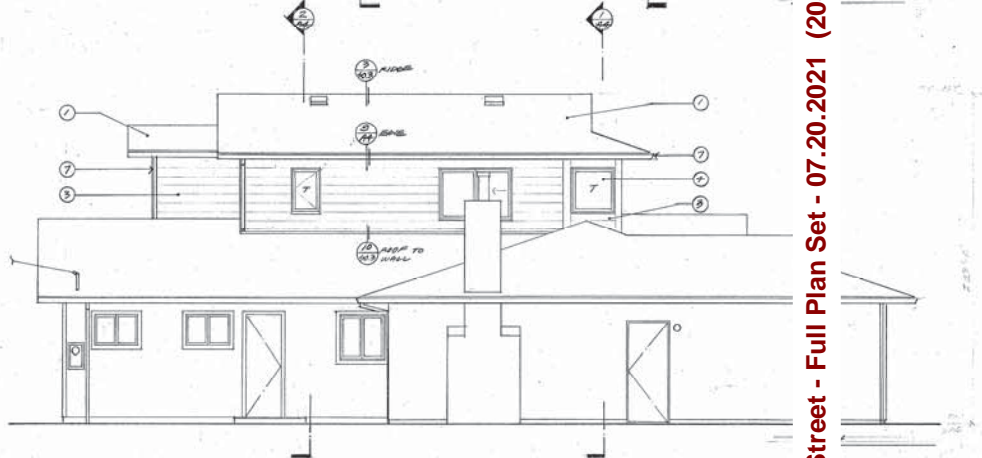
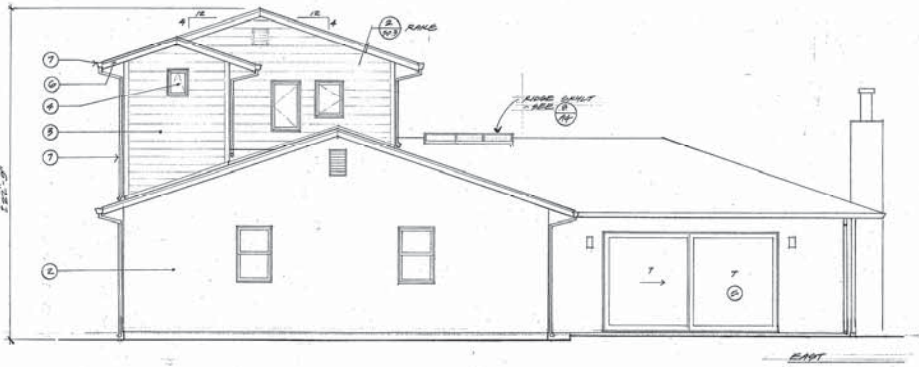
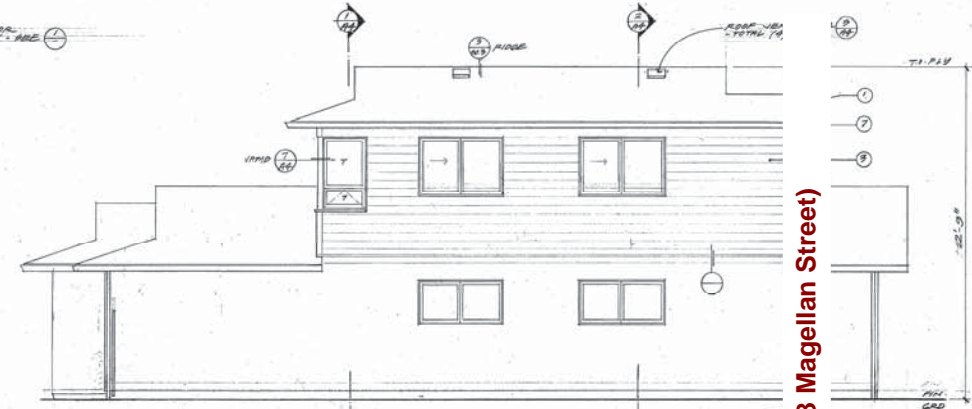


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CRAMER
APN: 036-19

DITION A2

Attachment: 208 Magellan Street - Full Plan Set - 07.20.2021 (208 Magellan Street)



EXTERIOR ELEVATIONS

Attachment: 208 Magellan Street - Full Plan Set - 07.20.2021 (208 Magellan Street)

- 1 Class "B" asphalt shingle roofing (in underlayment) over roofing
- 2 Existing T-111 plywood siding - to
- 3 Horizontal cement board lap siding ply - to paint
- 4 Vinyl windows, per schedule
- 5 Aluminum sliding door, per plans
- 6 Exposed wood framing, per plans
- 7 26 Ga. metal "fascia" gutter (match with metal downspout)

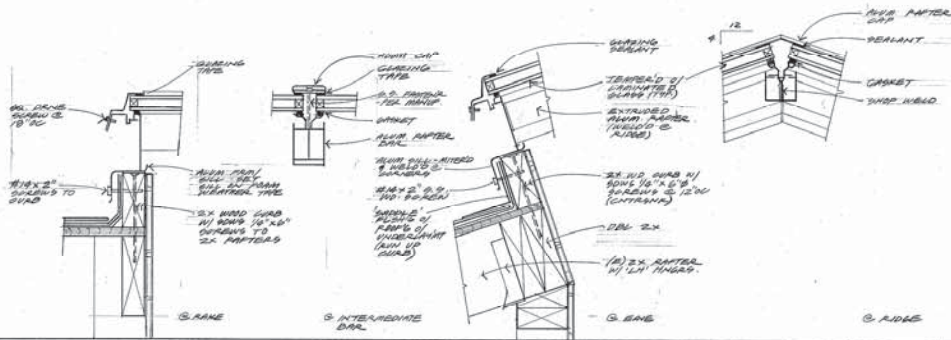
NOV	DATE
PLNG SUBMIT	4-14-2021
PLNG REVIS	6-24-2021



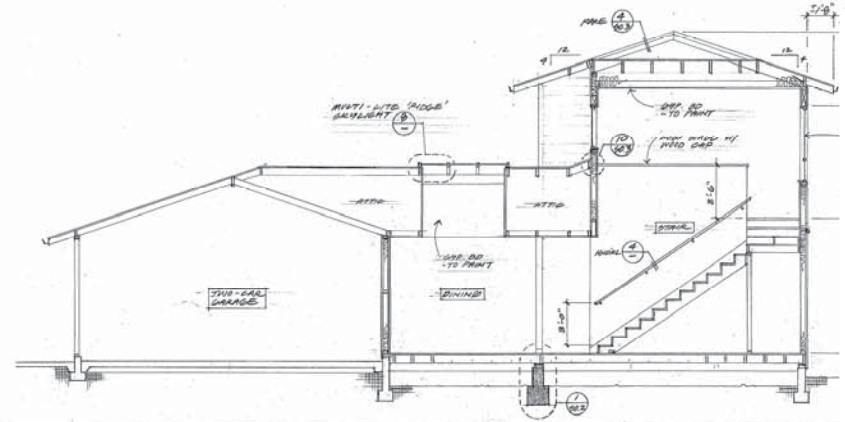
273 Linden
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EXTERIOR
CRAME
APN: 036-1

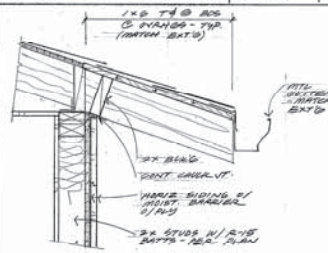
EXTERIOR
CONDITION A3



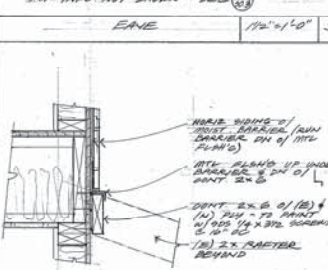
SKYLIGHT DETAILS 3" x 1'-0" 8



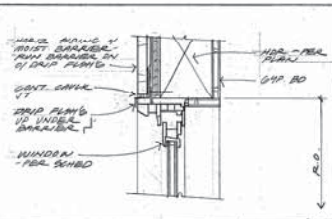
CROSS SECTION 14'-0" x 1'-0" 1



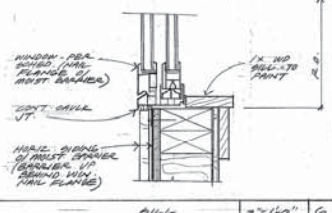
EAVE 17'-0" x 1'-0" 9



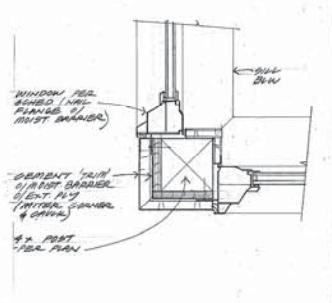
WATER TABLE 17'-0" x 1'-0" 10



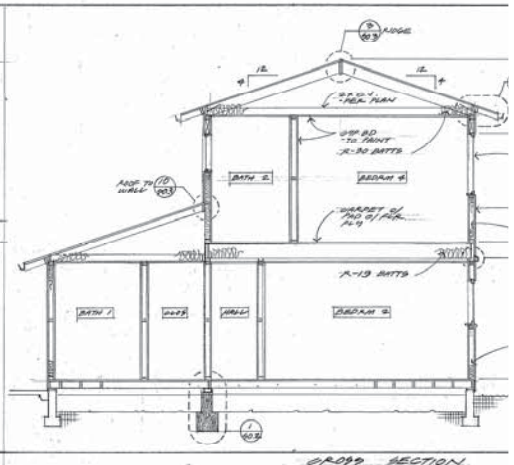
HEAD 3'-0" x 1'-0" 5



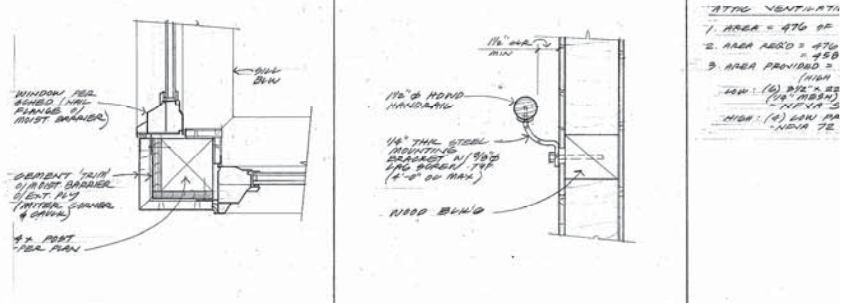
SILL 3'-0" x 1'-0" 6



JAMB 3'-0" x 1'-0" 7



CROSS SECTION 14'-0" x 1'-0" 2



HANDRAIL 3'-0" x 1'-0" 4



NO.	DATE
1	18-14-2021
2	6-24-2021

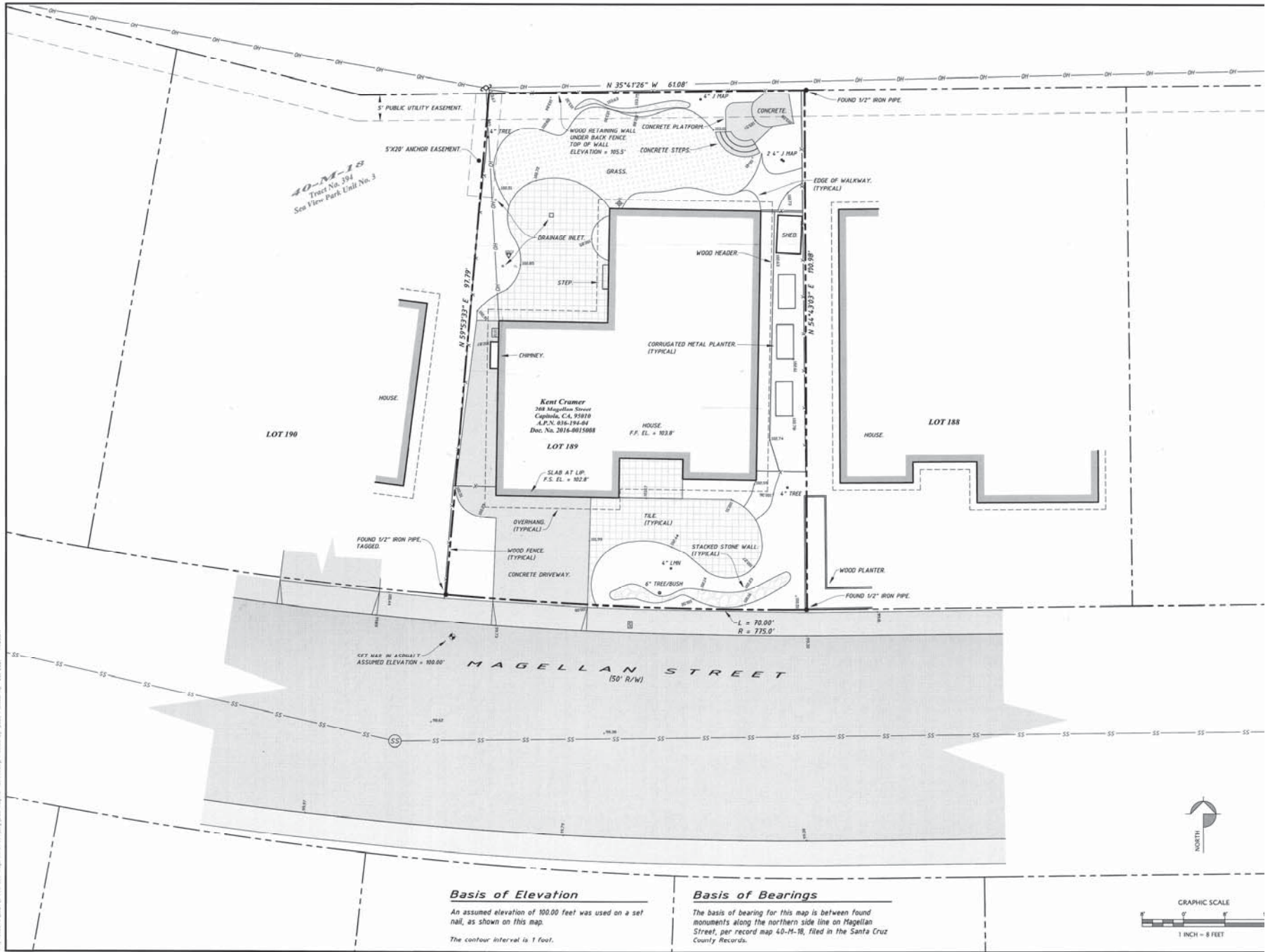


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CRAME
APN: 036-15

DITION A4

Attachment: 208 Magellan Street - Full Plan Set - 07.20.2021 (208 Magellan Street)



40-N-18
Tract No. 394
Sea View Park Unit No. 3

Kent Cramer
208 Magellan Street
Capitola, CA, 95010
A.P.N. 036-196-04
Doc. No. 2016-0015008

LOT 190

LOT 189

LOT 188

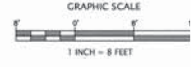
MAGELLAN STREET
(50' R/W)

Basis of Elevation

An assumed elevation of 100.00 feet was used on a set nail, as shown on this map.
The contour interval is 1 foot.

Basis of Bearings

The basis of bearing for this map is between found monuments along the northern side line on Magellan Street, per record map 40-N-18, filed in the Santa Cruz County Records.



Attachment: 208 Magellan Street - Full Plan Set - 07.20.2021 (208 Magellan Street)

REVISION APPROVED: <i>Paul Haganan</i> Paul Haganan LS 7797	HANAGAN LAND SURVEYING 308-C BRIDGELANE SANTA CRUZ, CA 95060 PHONE: (831) 468-8428
Topographic & Boundary Map, The Lands Of Kent Cramer 208 Magellan Street, Capitola, CA, 95010	
Santa Cruz County A.P.N. 036-196-04 DATE: 3-29-2021 SCALE: 1" = 8'	DESIGN DRAWN: J. Kahng
SHEET SU-1 OF 1 SHEETS 21030 JOB NO.	

CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

Existing Building Costs:

Existing Residence:	1745 square feet	=	\$ 349,000.00
	\$ 200.00 square foot		
Existing Garage:	456 square feet	=	\$ 41,040.00
	\$ 90.00 square foot		
Existing Deck:	0 square feet	=	\$ -
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 390,040.00</u>
80% of Total Existing Value			\$ 312,032.00

New Construction Costs:

New Conditioned Space:	438 square feet	=	\$ 87,600.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	0 square feet	=	\$ -
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>\$ 87,600.00</u>

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

Remodel Conditioned Space:	170 square feet	=	\$ 17,000.00
	\$ 100.00 square foot		
Remodel Garage:	0 square feet	=	\$ -
	\$ 45.00 square foot		
Remodel Deck:	0 square feet	=	\$ -
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u>\$ 17,000.00</u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 104,600.00</u>
% of Existing Value			27%

Attachment: 208 Magellan Street - Construction Cost Breakdown (208 Magellan Street)



ASPHALT SHINGLE ROOFING



EXISTING SIDING / FASCIA



HORIZONTAL CEMENT BOARD SIDING



VINYL WINDOWS



COPPER GUTTERS AND DNSPTS - (NO PAINT)

CRAMER ADDITION - APN : 036-194-04

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Attachment: 208 Magellan Street - Colorboard (208 Magellan Street)

Design Permit Design Review Criteria

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: AUGUST 19, 2021

SUBJECT: **1855 41st Avenue #21-0320 APN: 034-261-07, -37, -38, -40, & -52**

Six Month Review of Conditional Use Permit #21-0023 for Mobile Food Vendors located at 1855 41st Avenue at the Capitola Mall 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: Merlone Geier Management, LLC

Representative: Brian Kirk, Merlone Geier Management, LLC, Filed: 7/19/2021

BACKGROUND

On February 4, 2021, the applicant obtained a conditional use permit (CUP) for mobile food vending at 1855 41st Avenue in the C-R (Regional Commercial) zoning district. Condition of approval 21 requires a six-month review of the conditional use permit by the Planning Commission to ensure all impacts of the new use are adequately mitigated and provide an opportunity for the Planning Commission to modify conditions to improve the overall operations of the mobile food vendor Use.

DISCUSSION

Table 17.24-1 in Capitola Municipal Code (CMC) §17.24.020, land use regulations, indicates that mobile food vending may be permitted under an administrative temporary use permit or a discretionary conditional use permit. CMC §17.96.180(C)(6) allows mobile food vendors to operate in one location more than four times with a CUP. Conditions of approval related to the following items may be required within a permit when they are deemed necessary in connection with the temporary use:

1. Hours of operation.
2. Maintenance of accessibility for the disabled.
3. Protection of fire lanes and access.
4. Preservation of adequate on-site circulation.
5. Preservation of adequate on-site parking or a parking management plan to temporarily park off site.
6. Cleanup of the location or premises.
7. Use of lights or lighting or other means of illumination.

8. Operation of any loudspeaker or sound amplification in order to prevent the creation of any nuisance or annoyance to the occupants of or commercial visitors to adjacent buildings or premises.

On February 4, 2021, the applicant received approval of a CUP from the Planning Commission to allow mobile food vending on the Capitola Mall property more than four times per year. The final local action notice with all conditions of approval is included as attachment 1. The February 4, 2021, staff report is included as attachment 2 and contains the applicant's management plan and site plan. The purpose of this item is to ensure all impacts of the new use are adequately mitigated and provide an opportunity for the Planning Commission to modify conditions to improve the overall operations of the mobile food vendor use.

Two businesses, Taquizas Gabriel and Saucy's, have been operating as mobile food vendors at the Capitola Mall over the past six months within the requirements of the CUP. The vendors have been located in the parking spaces along 41st Avenue north of the main eastern mall entrance. They built physical barriers with wood planters and stanchions to separate the use from the drive aisles (Attachment 3). Each businesses obtained a Capitola business license and completed a fire safety inspection from Central Fire Protection District.

The two food vendors do not have a fixed schedule to be onsite at the mall location. Taquizas Gabriel operates at the mall site three to four days a week. Saucy's recently returned after six months away and plans to operate at the mall one to two days per week. The schedules are influenced by other catering opportunities and food truck events.

The city has not received any complaints regarding or the food vendors since the issuance of the CUP.

STAFF RECOMMENDATION

Staff recommends the Planning Commission provide feedback on the Conditional Use Permit and allow the businesses to continue to operate within the Conditions of Approval.

ATTACHMENTS:

1. FLAN with Conditions of Approval
2. Planning Commission Staff Report and Exhibits from February 4, 2021

Prepared By: Katie Herlihy
Community Development Director



FINAL LOCAL ACTION NOTICE AND ZONING PERMIT

February 17, 2021

Brian Kirk, MCP XI Capitola LLC
1855 41st Avenue, Management Office
Capitola, CA 95010

RE: Notice of Final Action on Application #21-0023

1855 41st Avenue #21-0023 APN: 034-261-07, -37, -38, -40, & -52
Conditional Use Permit for Mobile Food Vendors 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: Merlone Geier Management, LLC
Representative: Brian Kirk, Merlone Geier Management, LLC, Filed: 01.21.2021

The above matter was presented to the Planning Commission on February 4, 2021, and was **approved**, with the following findings and conditions. Any modifications to the conditions and findings are indicated below in ~~strikeout~~ and underline notation.

CONDITIONS

1. The project approval consists of the approval of a conditional use permit for the operation of up to three mobile food vendors seven days a week in the locations indicated on the approved site plan. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 4, 2021, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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 site plan or expansion of the proposed use shall require Planning Commission approval.
3. Prior to exercising the conditional use permit, the applicant must provide documentation of plan approval by the Central Fire Protection District.

4. Mobile food vendors shall obtain a Capitola Business License and any required county and state licenses prior to commencing business in Capitola.
5. Placement of food vendor vehicles or trailers shall not obstruct fire lane access.
6. Placement of food vendor vehicles or trailers shall not obstruct vehicular right of way.
7. Mobile food vendor customers shall utilize parking spaces located on parcels owned by the Capitola Mall.
8. Mobile food vendors shall supply their own bird deterrent trash receptacles and empty them in the Capitola Mall refuse collection areas when full and upon leaving the premises daily.
9. Mobile food vendor lighting shall be limited to lighting located on the food vendor vehicle or trailer. Lighting shall be in compliance with the Capitola Municipal Code.
10. Mobile vendor may not discharge any liquids including wash water onto the ground.
11. Mobile vendor must clean up any spills caused by their operation or customers.
12. Mobile food vendors shall be responsible for maintaining ADA access to the vendor vehicle or trailer.
13. Mobile food vendors shall provide a physical barrier (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the queue for customers waiting to order food during hours of operation.
14. Mobile food vendors shall comply with all sign standards in CMC Chapter 17.80. Specifically, mobile food vendors shall comply with the prohibition of portable signs in CMC §17.80.060(A)(2) and flag signs in CMC §17.80.060(A)(5). Signs will be limited to signage on the mobile food vendor vehicle and/or trailer.
15. Mobile food vendors shall not put out seating or tables for customers.
16. Mobile food vendors shall not utilize a loudspeaker or other amplified sound.
17. This permit shall expire 24 months from the date of issuance. The applicant shall exercise the permit before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Capitola Municipal Code §17.156.080.
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. Mobile food vendors shall comply with the biodegradable and compostable disposable food service ware requirements under Capitola Municipal Code §8.36.040.
20. Mobile food vending uses shall be limited to the locations identified in the site plan approved by Planning Commission on February 4, 2021. Locations include: the parking spaces along

41st Avenue north of the main eastern mall entrance and along the north side of the entrance driveway; the parking spaces along 41st Avenue south of the main eastern mall entrance and along the south side of the entrance driveway; the parking spaces along Capitola Road between the main southern mall entrance and the Bank of America parcel; and the parking spaces along Clares Street south of the main western mall entrance.

21. Conditional use permit #21-0023 shall be scheduled for a Planning Commission review in six months (August 19, 2021) to ensure all impacts of the new use are adequately mitigated. The Planning Commission may modify the conditions of the conditional use permit during the six-month review to improve the overall operations of the mobile food vendor use.
22. The physical barriers shall be of high quality and add to the aesthetics and visitor experience within the food vending area. City staff shall review and approve the design of physical barriers (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the customer queue prior to initial mobile food vending operations for each vendor.
23. Prior to issuance of a Capitola Business License, a fire safety inspection of each truck must be conducted to ensure that portable fire extinguishers or fixed fire suppression systems have been inspected, tested, and are in good working order. Applicant must provide proof of fire safety inspection approval from Central Fire Protection District with Business License application.

CONDITIONAL USE PERMIT FINDINGS

- A. The proposed use is allowed in the applicable zoning district.**
Mobile food vending is allowed in the C-R (Regional Commercial) zoning district with Planning Commission approval of a conditional use permit.
- B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
The mobile food vending use is consistent with the general plan, local coastal program, and zoning code.
- C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.**
The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.
- D. The proposed use will not be detrimental to the public health, safety, and welfare.**
Community Development Department Staff, Public Works Staff, Police Department, Central Fire Protection District, and the Planning Commission have reviewed the project and determined that it will not be detrimental to the public health, safety, and welfare.
- E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.**
The proposed use is located within the City of Capitola and is adequately served by existing services and infrastructure.

This permit is issued to the owner of the property. In executing this permit, owner agrees to comply with all terms of permit, including conditions of approval, if any. Permit must be exercised within 24 months of date of issuance (February 17, 2023) unless otherwise indicated in conditions of approval. Should you have any questions on this matter, do not hesitate to call.

Respectfully,



Matt Orbach
Associate Planner

Attachment: FLAN with Conditions of Approval (1855 41st Avenue)



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: FEBRUARY 4, 2021

SUBJECT: **1855 41st Avenue #21-0023 APN: 034-261-07, -37, -38, -40, & -52**

Conditional Use Permit for Mobile Food Vendors 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: Merlone Geier Management, LLC
 Representative: Brian Kirk, Merlone Geier Management, LLC, Filed: 01.21.2021

APPLICANT PROPOSAL

The applicant is requesting a conditional use permit for mobile food vending at 1855 41st Avenue in the C-R (Regional Commercial) zoning district. The proposal includes all of the parcels that make up the Capitola Mall and the surrounding parking lot areas owned by Merlone Geier Partners.

BACKGROUND

On Wednesday, January 20, 2021, Staff sent a courtesy letter to the management of the Capitola Mall to informing them that the mobile food vendors operating in the mall parking lot along 41st Avenue required use permits from the City of Capitola. The manager of the Capitola Mall subsequently informed the owners of the two mobile food vendors, Taquizas Gabriel and Saucy'z, that they would not be allowed to operate in the parking lot until the required permits were obtained.

DISCUSSION

Table 17.24-1 in Capitola Municipal Code (CMC) §17.24.020 – Land use regulations, indicates that mobile food vending may be permitted under an administrative temporary use permit or a discretionary conditional use permit.

CMC §17.96.180(C)(6) allows mobile food vendors to operate in one location four times or less per year with an administrative temporary use permit. This section also notes that mobile food vendors in one location more than four times per year require a conditional use permit. Conditions of approval related to the following items may be required within a permit when they are deemed necessary in connection with the temporary use:

1. Hours of operation.

2. Maintenance of accessibility for the disabled.
3. Protection of fire lanes and access.
4. Preservation of adequate on-site circulation.
5. Preservation of adequate on-site parking or a parking management plan to temporarily park off site.
6. Cleanup of the location or premises.
7. Use of lights or lighting or other means of illumination.
8. Operation of any loudspeaker or sound amplification in order to prevent the creation of any nuisance or annoyance to the occupants of or commercial visitors to adjacent buildings or premises.

The applicant is applying for a Conditional Use Permit to allow mobile food vending on the Capitola Mall property more than four times per year. The applicant submitted a management plan that includes information related to the eight potential conditions listed above (Attachment 2). The Planning Commission may consider the information in relation to the considerations as outlined in the analysis below and include conditions of approval mitigating possible issues with the conditional use permit. A site plan indicating the proposed areas for mobile food vending is included as Attachment 1.

The applicant is proposing up to three mobile food vendors operating seven days a week from 11 a.m. to 8 p.m. The mall is proposing four sites for the food vending locations, including: the parking spaces along 41st Avenue north of the main eastern mall entrance and along the north side of the entrance driveway, the parking spaces along 41st Avenue south of the main eastern mall entrance and along the south side of the entrance driveway, the parking spaces along Capitola Road between the main southern mall entrance and the Bank of America parcel, and the parking spaces along Clares Street south of the main western mall entrance. The purpose for requesting four sites is to have the ability to move the food vendor locations during special events and during the redevelopment of the mall to accommodate construction. The proposal does not include seating or special lighting. Individual mobile food vendors will be required to have onsite trash and recycling, which will be disposed of within the mall refuse disposal areas.

When evaluating a conditional use permit application, the Planning Commission is required to consider the following characteristic of the proposed use:

- A. Operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).

Staff Analysis: The applicant is proposing to have up to three mobile food vendors operating seven days a week between the hours of 11 a.m. and 8 p.m. The areas proposed for mobile food vending are located in underutilized portions of the Capitola Mall parking lot that are generally vacant, so traffic generation and parking impacts are projected to be minimal. Lighting will be limited to the existing parking lot lighting and existing exterior lighting on the mobile food vendor vehicle or trailer. The proposed use is not expected to generate any noise, odor, dust, or other external impacts.

Staff has included a condition of approval requiring mobile food vendors to provide a physical barrier (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the queue for customers waiting to order food during their hours of operation.

Staff has also included a condition of approval requiring mobile food vendors to comply with the sign standards in CMC Chapter 17.80. Specifically, mobile food vendors must comply with the prohibition of portable signs in CMC §17.80.060(A)(2) and flag signs in

CMC §17.80.060(A)(5). Signs will be limited to signage on the mobile food vendor vehicle and/or trailer.

Additional conditions of approval have been added to address Americans with Disabilities Act (ADA) access, protection of fire lanes, preservation of on-site circulation, customer parking, refuse collection and disposal, lighting, and operation of any loudspeaker or sound amplification.

B. Availability of adequate public services and infrastructure.

Staff Analysis: The proposed uses will not utilize any permanent infrastructure and the proposed locations in the Capitola Mall parking lot have readily available public services. The one exception is public restrooms, the nearest of which are located in the Capitola Mall food court. However, the mobile food vendors, as proposed, are essentially a take-out restaurant use with no seating allowed, reducing the amount of time customers will be on the site.

C. Potential impacts to the natural environment.

Staff Analysis: As the proposed uses would be located in an existing parking lot along a busy commercial corridor, there will no impacts to the natural environment.

D. Physical suitability of the subject site for the proposed use in terms of design, location, operating characteristics, shape, size, topography.

Staff Analysis: The use is being proposed in underutilized areas along the outer edges of the Capitola Mall parking lot. The operating characteristics of mobile food vendors are complementary to the existing retail and restaurant uses in the Capitola Mall and on the adjacent parcels. The parking lot is large and generally flat in terms of topography.

CEQA

Section 15332 of the CEQA Guidelines exempts project characterized as in-fill development when: the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The proposed project is consistent with the in-fill development exemption and no adverse environmental impacts were discovered by Planning Staff during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review and **approve** project application #21-0023 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of the approval of a conditional use permit for the operation of up to three mobile food vendors seven days a week in the locations indicated on the approved site plan. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 4, 2021, except as modified through conditions imposed by the Planning Commission during the hearing.

2. 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 site plan or expansion of the proposed use shall require Planning Commission approval.
3. Prior to exercising the conditional use permit, the applicant must provide documentation of plan approval by the Central Fire Protection District.
4. Mobile food vendors shall obtain a Capitola Business License and any required county and state licenses prior to commencing business in Capitola.
5. Placement of food vendor vehicles or trailers shall not obstruct fire lane access.
6. Placement of food vendor vehicles or trailers shall not obstruct vehicular right of way.
7. Mobile food vendor customers shall utilize parking spaces located on parcels owned by the Capitola Mall.
8. Mobile food vendors shall supply their own bird deterrent trash receptacles and empty them in the Capitola Mall refuse collection areas when full and upon leaving the premises daily.
9. Mobile food vendor lighting shall be limited to lighting located on the food vendor vehicle or trailer. Lighting shall be in compliance with the Capitola Municipal Code.
10. Mobile vendor may not discharge any liquids including wash water onto the ground.
11. Mobile vendor must clean up any spills caused by their operation or customers.
12. Mobile food vendors shall be responsible for maintaining ADA access to the vendor vehicle or trailer.
13. Mobile food vendors shall provide a physical barrier (e.g. stanchions and ropes, retractable belt barriers) between the vehicular right of way in the parking lot and the queue for customers waiting to order food during hours of operation.
14. Mobile food vendors shall comply with all sign standards in CMC Chapter 17.80. Specifically, mobile food vendors shall comply with the prohibition of portable signs in CMC §17.80.060(A)(2) and flag signs in CMC §17.80.060(A)(5). Signs will be limited to signage on the mobile food vendor vehicle and/or trailer.
15. Mobile food vendors shall not put out seating or tables for customers.
16. Mobile food vendors shall not utilize a loudspeaker or other amplified sound.
17. This permit shall expire 24 months from the date of issuance. The applicant shall exercise the permit before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Capitola Municipal Code §17.156.080.
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.

CONDITIONAL USE PERMIT FINDINGS

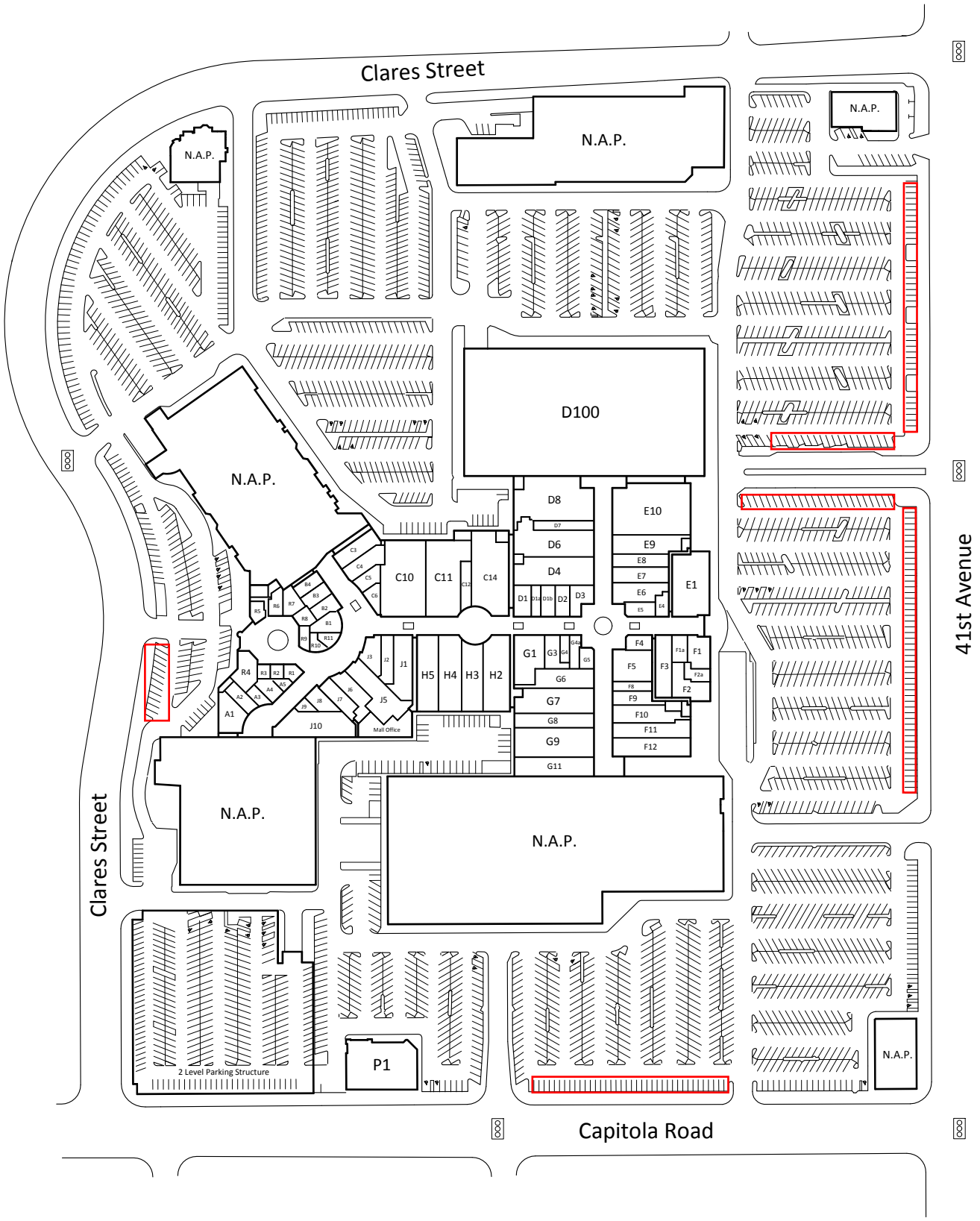
- A. The proposed use is allowed in the applicable zoning district.**
Mobile food vending is allowed in the C-R (Regional Commercial) zoning district with Planning Commission approval of a conditional use permit.
- B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**
The mobile food vending use is consistent with the general plan, local coastal program, and zoning code.
- C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.**
The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.
- D. The proposed use will not be detrimental to the public health, safety, and welfare.**
Community Development Department Staff, Public Works Staff, Police Department, Central Fire Protection District, and the Planning Commission have reviewed the project and determined that it will not be detrimental to the public health, safety, and welfare.
- E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.**
The proposed use is located within the City of Capitola and is adequately served by existing services and infrastructure.

ATTACHMENTS:

1. 1855 41st Avenue - Proposed Site Plan - 01.27.2021
2. 1855 41st Avenue - Mobile Food Vending Management Plan - 01.27.2021

Prepared By: Matt Orbach
Associate Planner

Exhibit B - Site Plan



Attachment: Planning Commission Staff Report and Exhibits from February 4, 2021 (1855 41st Avenue)



This exhibit is for reference only and is not a representation as to size, dimension, or location of any tenant in the shopping center. All building, improvements, their occupants, and their uses as shown on this plan are subject to modification at the landlord's discretion.

Exhibit B - Site Plan
 Capitola Ma
 Capitola, Ca
 Property #727

City of Capitola – Master Application – Capitola Mall Conditional Use Permit

Submitted by Brian Kirk as Agent for MGP XI Capitola, LL - 1/26/21

Please see the below additional details regarding the request for a Conditional Use permit by MGP XI Capitola, LLC (Capitola Mall/Merlone Geier Management) for exterior lot food vendors.

Description: Request to host up to 3 mobile food vendors at one time in various locations of the mall parking lot owned by MGP XI, LLC (Capitola Mall/Merlone Geier Management).

Locations: Locations in the parking lot will vary due to possible conflicts with other uses and vendor preference. Please see map for designated location options.

Days/Time: Monday – Sunday between the hours of 11am – 8pm.

Disabled Access: All locations maintain full accessibility for the disabled.

Fire Lane Access: Proposed use would not obstruct fire lane access.

Traffic circulation: Proposed locations would not impact flow of parking lot traffic.

Parking Impact: Proposed use would not significantly impact on-site parking capacity.

Lighting: Limited to existing parking lot lighting and any exterior food vendor vehicle lighting.

Trash: Vendors will supply their own trash receptacles to be emptied in the mall trash containers when full and upon leaving the premises. On-site maintenance team (contracted by MGP XI Capitola, LLC) will maintain cleanup in the surrounding areas of the parking lot.

Loudspeaker or sound amplification: None.

Restrooms: Nearest mall owned public restrooms are located inside the mall food court.

Seating: No seating or tables will be provided.

Vendors: Will vary.