

Mayor: Dennis Norton  
Vice Mayor: Ed Bottorff  
Council Members: Jacques Bertrand  
Stephanie Harlan  
Michael Termini  
Treasurer: Christine McBroom



**REVISED**

**CAPITOLA CITY COUNCIL  
REGULAR MEETING**

**THURSDAY, SEPTEMBER 24, 2015**

**CITY HALL COUNCIL CHAMBERS  
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

**CLOSED SESSION - 6:30 PM  
CITY MANAGER'S OFFICE**

*An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the City Council's Open Session Meeting.*

**CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION**

**Significant exposure to litigation pursuant to subdivision (b) of Govt. Code §54956.9**

One case

## **REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM**

*All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.*

*All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.*

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

Council Members Stephanie Harlan, Ed Bottorff, Jacques Bertrand, Michael Termini, and Mayor Dennis Norton

### **2. PRESENTATIONS**

A. Certificate of Appreciation to Bob Anderson for his service on the Historical Museum Board

### **3. REPORT ON CLOSED SESSION**

### **4. ADDITIONAL MATERIALS**

*Additional information submitted to the City after distribution of the agenda packet.*

A. Item 9.B.: Revised Staff Report for Ordinance Pertaining to Prohibitions of Smoking in Outdoor Public Places

B. Item 10.A.: Communication from Public regarding 1575 38th Avenue Conceptual Review

### **5. ADDITIONS AND DELETIONS TO AGENDA**

### **6. PUBLIC COMMENTS**

*Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. 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. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.*

### **7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS**

*City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.*

### **8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**

**9. CONSENT CALENDAR**

*All items listed in the "Consent Calendar" 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 Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.*

*Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.*

- A. Approval of City Check Register Reports Dated August 7, August 14, August 21, and August 28, 2015  
RECOMMENDATION: Approve the Check Register Reports.
- B. Consider an Ordinance Amending Section 8.38.060 of the Capitola Municipal Code Pertaining to Prohibitions of Smoking In Outdoor Public Places [Second Reading]  
RECOMMENDED ACTION: Adopt Ordinance.
- C. Consider a Resolution approving the Program Supplement Agreement with CalTrans for State Funded Projects  
RECOMMENDED ACTION: Adopt the proposed Resolution approving the Program Supplement Agreement No. 0N81 Rev. 000, Administering Agency-State Master Agreement No. 00245S for Project Number RPL-5304(010), and authorizing the City Manager to sign the Program Supplement Agreement and any other documents related to administering the Agency-State Agreement for Federal-Aid Projects on behalf of the City.
- D. Consider a Resolution Amending the City's Bail Schedule to Add a New Fine  
RECOMMENDED ACTION: Adopt the proposed Resolution repealing Resolution No. 3998 and amending the City of Capitola Bail Schedule, and direct staff to forward the new schedule to the Santa Cruz County Court.
- E. Zoning Code Update: Schedule for Special Meetings  
RECOMMENDED ACTION: Accept staff recommendation on special meeting schedule for review of zoning code issues and options.

**10. GENERAL GOVERNMENT / PUBLIC HEARINGS**

*General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.*

- A. Receive presentation regarding 1575 38th Avenue Conceptual Review of 11 Unit Residential Development  
RECOMMENDED ACTION: Receive presentation, consider 11 unit residential development, and provide applicant with feedback on the proposed concept.
- B. Amend the City's Administrative Policy Number I-17 Pertaining to Over-the-Street Banners  
RECOMMENDED ACTION: Adopt the amended Administrative Policy for Over-the-Street Banners.

## 11. ADJOURNMENT

**Note:** Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes “final.” Please be advised that in most instances the decision become “final” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

**Notice regarding City Council:** The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Agenda and Agenda Packet Materials:** The City Council Agenda and the complete Agenda Packet are available for review on the City’s website: [www.cityofcapitola.org](http://www.cityofcapitola.org) and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk’s office at 831-475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, 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 City Clerk’s office 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:** City Council meetings are cablecast “Live” on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed “Live” on the City’s website at [www.cityofcapitola.org](http://www.cityofcapitola.org) by clicking on the Home Page link “**Meeting Video**”. Archived meetings can be viewed from the website at anytime.

*City of Capitola*

# Certificate of Appreciation

to

***BOB ANDERSON***

*for Service as a member on the*

**Capitola Historical Museum Board**

*from April 2007 through September 2015*



A handwritten signature in black ink, appearing to read "Dennis Norton", is written over a horizontal line.

Dennis Norton, Mayor

*Signed and sealed this 23rd day of September, 2015*



**REVISED**

## CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: City Manager Department

SUBJECT: Consider an Ordinance Amending Section 8.38.060 of the Capitola Municipal Code Pertaining to Prohibitions of Smoking In Outdoor Public Places [Second Reading]

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RECOMMENDED ACTION: Adopt Ordinance.

BACKGROUND: The draft Ordinance amending the Capitola Municipal Code, Section 8.38.060 (Prohibitions of smoking in outdoor public places) to expand the outdoor public places where smoking is prohibited.

Report Prepared By: Susan Sneddon  
City Clerk

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Jamie Goldstein, City Manager

Communication: Item 9.B.: Revised Staff Report for Ordinance Pertaining to Prohibitions of Smoking in Outdoor Public Places (ADDITIONAL

DRAFT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AMENDING CHAPTER 8.38.060, TO EXPAND THE BOUNDARIES OF THE PROHIBITED  
SMOKING AREAS IN OUTDOOR PLACES IN THE VILLAGE TO: "ANY PORTION OF  
STOCKTON AVENUE RIGHT-OF-WAY BETWEEN WHARF ROAD AND CAPITOLA  
AVENUE; ANY PORTION OF MONTEREY AVENUE RIGHT-OF-WAY SOUTH OF CAPITOLA  
AVENUE; ANY PORTION OF SAN JOSE AVENUE RIGHT-OF-WAY BETWEEN  
ESPLANADE AND CAPITOLA AVENUE; ANY PORTION OF LAWN WAY RIGHT-OF WAY;  
AND ANY PORTION OF CAPITOLA AVENUE RIGHT-OF-WAY BETWEEN STOCKTON  
AVENUE AND MONTEREY AVENUE"

BE IT ORDAINED BY THE CITY OF CAPITOLA OF THE CITY OF CAPITOLA AS  
FOLLOWS:

"Section 8.38.060"

PROHIBITIONS OF SMOKING IN OUTDOOR PUBLIC PLACES

Section 1. 8.38.060 is hereby amended to read as follows:

8.38.060 Prohibition of smoking in outdoor public places.

- A. Capitola Beach;
- B. Any portion of the Esplanade right-of-way;
- ~~C. Any portion of the Stockton Avenue right-of-way between Wharf Road and the Esplanade;~~
- ~~D. Any portion of Monterey Avenue south of Lawn Way;~~
- C. Any portion of Stockton Avenue right-of-way between Wharf Road and Capitola Avenue;
- D. Any portion of Monterey Avenue right-of-way south of Capitola Avenue;
- E. Any portion of San Jose Avenue right-of-way between Esplanade and Capitola Avenue;
- F. Any portion of Lawn Way right-of way;
- G. Any portion of Capitola Avenue right-of-way between Stockton Avenue and Monterey Avenue;
- ~~H.E.~~ Esplanade Park;
- ~~I.F.~~ Capitola Wharf;
- ~~J.G.~~ Jade Street Park;
- ~~K.H.~~ Library property at 2005 Wharf Road;
- ~~L.I.~~ Rispin Mansion property;
- ~~M.J.~~ Peery Park;
- ~~N.K.~~ Soquel Creek Park;
- ~~O.L.~~ Public parcel located north of Stockton Bridge at 101 Stockton Avenue;
- ~~P.M.~~ City Hall property;
- ~~Q.N.~~ Noble Gulch Park;
- ~~R.O.~~ Monterey Park;
- ~~S.P.~~ Cortez Park;
- ~~T.Q.~~ McGregor Park;
- U.R. Public events that are open to the general public regardless of any fee or age requirement to include farmer's markets, theater plays and permitted public events. (Ord. 1000 § 1 (part), 2015; Ord. 980 § 3, 2013; Ord. 943 § 3, 2009. Formerly 8.38.055)

Section 2. This Ordinance shall take effect and be in full force on \_\_\_\_\_.

Communication: Item 9.B.: Revised Staff Report for Ordinance Pertaining to Prohibitions of Smoking in Outdoor Public Places (ADDITIONAL

Smoking Ordinance Amendment Second Reading  
September 24, 2015

This Ordinance was introduced on the 10<sup>th</sup> day of September, 2015, and was passed and adopted by the City Council of the City of Capitola on the \_\_\_ day of \_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_  
Dennis Norton, Mayor

ATTEST:

\_\_\_\_\_, CMC  
Susan Sneddon, City Clerk

Communication: Item 9.B.: Revised Staff Report for Ordinance Pertaining to Prohibitions of Smoking in Outdoor Public Places (ADDITIONAL



**Sneddon, Su (ssneddon@ci.capitola.ca.us)**

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**From:** Mick Routh [qwakwak@gmail.com]  
**Sent:** Wednesday, September 23, 2015 11:18 AM  
**To:** City Council  
**Cc:** Grunow, Rich (rgrunow@ci.capitola.ca.us); Cattan, Katie (kcattan@ci.capitola.ca.us); Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)  
**Subject:** 38th ave proposal; zoning ord update

Council members,

I would like to voice my support for the cluster housing proposed for the salvage lot property on 38th ave. Since the council was able to make questionable findings to approve a senior housing complex, it should be quite easy to make the findings to support the necessary variances that would allow the 11 homes to be approved. This proposed project is unquestionably better than the senior housing project and much more in scale with the existing neighborhood.

Regarding accessory dwelling units, the proposed zoning ordinance changes under consideration will have huge negative impacts on single family neighborhoods. Parking is already scarce on the Jewel Box streets and in the Riverview Terrace neighborhoods. Reducing the required lot size and allowing accessory units to be built and rented will compound the existing parking problems. The proposed changes are not in the best interests of preserving the integrity of our neighborhoods or serving the residents. Please maintain the status quo.

Mick Routh  
4590 Crystal St.

Sent from my iPad

Communication: Item 10.A.: Communication from Public regarding 1575 38th Avenue Conceptual Review (ADDITIONAL MATERIALS)



## CITY COUNCIL AGENDA REPORT

### MEETING OF SEPTEMBER 24, 2015

FROM: Finance Department

SUBJECT: Approval of City Check Register Reports Dated August 7, August 14, August 21, and August 28, 2015

RECOMMENDATION: Approve the Check Register Reports.

DISCUSSION: Check Registers are attached for:

Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
8/07/2015	81209	81266	202	\$589,990.97
8/14/2015	81267	81362	100	\$328,224.54
8/21/2015	81366	81433	204	\$261,463.38
8/28/2015	81435	81531	85	\$296,680.00

The check register of July 31 ended with check #81208.

The following checks were voided due to printer problems: 81209, 81363-65 & 81434.

Following is a list of checks issued for more than \$10,000.00 and a brief description of the expenditure:

Check	Issued to	Dept	Description	Amount
81227	Kimley-Horn and Associates	PW	Professional Services for 708 Capitola Ave., McGregor Rd. Improvements, Housing Element update	\$13,019.50
81234	Michael Greenwald	PW	McGregor Skate Park Construction	\$10,000.00
81237	MBASIA	CM	Insurance Premiums	\$258,777.54
81250	Weber Hayes & Assoc.	PW	McGregor Soil Assessment	\$19,219.65
EFT149	CalPERS	FIN	August Health Insurance	\$59,892.26
81320	SCC Anti-Crime Team	PD	2015/16 Support Staff	\$17,993.20
81321	SCC Auditor-Controller	PD	July 2015 Citation Charges	\$16,256.50
81330	Soquel Creek Water	PW	Monthly Water Charges	\$16,382.98
81352	SCC Bank	FIN	Pacific Cove Financing Lease	\$82,532.87
81356	SCC Environmental Health	PW	McGregor Site Mitigation Oversight Charges	\$13,961.25
EFT152	IRS	FIN	Federal & Medicare Taxes	\$27,673.30

Approval of City Check Register Reports  
September 24, 2015

EFT154	CalPERS	FIN	PERS Contributions	\$46,114.00
81427	T Mobile	PD/PW	Phone & Hardware Charges	\$12,131.76
S.A.5015	Castle Mobile Estates	FIN	Rental Subsidy ROPS 15-16A	\$15,900.00
81437	American Traffic Solutions	PD	Jan-June 2015 Red Light Camera Fee	\$51,073.22
81448	City of Santa Cruz	PD	Summer Lifeguard Services	\$68,500.00
81470	Kimley-Horn & Associates	PW	Professional Services for Roundabout, Bike Lane, Pac Cove Rail Trail	\$19,771.36
81482	PG&E	PW	Monthly Electric & Gas Charges	\$15,721.59
EFT159	IRS	FIN	Federal & Medicare Taxes	\$26,160.94

ATTACHMENTS:

1. 8-7-15 City Check Register
2. 8-14-15 City Check Register
3. 8-21-15 City Check Register
4. 8-28-15 City Check Register

Report Prepared By: Maura Herlihy  
Account Technician



Jamie Goldstein, City Manager


9/17/2015

Checks dated 8/7/15 numbered 81210 to 81266 plus 1 EFT for a total value of \$410,992.81 has been reviewed and authorized for distribution by the City Manager.

As of 8/7/2015 the unaudited cash balance is \$4,444,456.22.

General Fund	\$920,398.60
Contingency Reserve Fund	\$1,803,945.66
PERS Contingency Fund	\$0.00
Facilities Reserve Fund	\$159,870.00
Capital Improvement Fund	\$813,925.80
Stores Fund	\$18,713.97
Information Technology Fund	\$133,404.98
Equipment Replacement	\$124,178.17
Self Insurance Liability Fund	\$157,031.75
Worker's Comp. Ins. Fund	\$321,856.79
Compensated Absences Fund	(\$8,869.50)
TOTAL UNASSIGNED GENERAL FUNDS	<u>\$4,444,456.22</u>

The Emergency Reserve Fund Balance is \$1,049,205.54 (not included above).

  
 \_\_\_\_\_  
 Jamie Goldstein, City Manager

8/7/2015  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Christine McBroom, City Treasurer

\_\_\_\_\_  
 Date

Attachment: 8-7-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transac Am
81210	08/03/2015	Open			ALLIANT INSURANCE SERVICES	\$4,85
	Invoice		Date	Description		Amount
	352385		07/01/2015	FY15/16 equipment ins. renewal 2213 - ISF - Self-Insurance Liability		\$4,854.00
81211	08/07/2015	Open			BARBARA GRAHAM-GARCIA	\$25
	Invoice		Date	Description		Amount
	183		08/04/2015	ergonomic consulting - M Herlihy		\$250.00
81212	08/07/2015	Open			BAY PHOTO LAB	\$
	Invoice		Date	Description		Amount
	4755268		07/22/2015	online order R4424015; museum PARK		\$2.66
81213	08/07/2015	Open			BILL TASHNICK	\$6
	Invoice		Date	Description		Amount
	Tash-7-31		07/31/2015	Softball Officials July 20-31, 2015		\$66.00
81214	08/07/2015	Open			BRINKS AWARDS & SIGNS	\$88
	Invoice		Date	Description		Amount
	75588		07/14/2015	2015 JG Awards S1		\$889.57
81215	08/07/2015	Open			COASTAL WATERSHED COUNCIL	\$2,90
	Invoice		Date	Description		Amount
	1414		07/31/2015	Urban Watch July 2015		\$2,630.75
	1413		07/31/2015	Stormwater Education Services July 2015		\$275.00
81216	08/07/2015	Open			CODE PUBLISHING COMPANY INC.	\$19
	Invoice		Date	Description		Amount
	50464		07/27/2015	City municipal code update		\$193.05
81217	08/07/2015	Open			CVS PHARMACY INC.	\$5
	Invoice		Date	Description		Amount
	20150727		07/27/2015	JG Supplies		\$59.11
81218	08/07/2015	Open			DANIEL REED	\$6
	Invoice		Date	Description		Amount
	Reed-7-31		07/31/2015	Softball Officials July 20-31, 2015		\$66.00
81219	08/07/2015	Open			DONALD W ALLEY	\$2,47
	Invoice		Date	Description		Amount
	715-02		08/02/2015	Fish & Wildlife Monitoring of Soquel Creek Year 2 of 3 FY 15/16		\$2,478.28
81220	08/07/2015	Open			DYNAMIC PRESS	\$10
	Invoice		Date	Description		Amount
	19581		07/29/2015	Personnel action forms (200) 2210 - ISF - Stores Fund		\$106.96
81221	08/07/2015	Open			eFolder Systems	\$12
	Invoice		Date	Description		Amount
	77999		06/30/2015	AppAssure Monthly Usage 2211 - ISF - Information Technology		\$125.00

Attachment: 8-7-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transact Amc
81222	08/07/2015	Open			EXTREME TOWING	\$200.00
	Invoice		Date	Description		Amount
	001012		07/28/2015	'99 Ford F250 towing		\$200.00
81223	08/07/2015	Open			FLYERS ENERGY LLC	\$3,161.15
	Invoice		Date	Description		Amount
	15-115506		07/24/2015	300 Gallon Ethanol 91		\$1,069.97
	15-115507		07/24/2015	170 Gallon ULS Diesel #2 (carb)		\$516.32
	15-112748		07/17/2015	ethanol 91 350 gallon		\$1,277.15
	15-112749		07/17/2015	ULS Diesel #2 100 Gallons		\$298.21
81224	08/07/2015	Open			FRED C. BEYERS	\$198.00
	Invoice		Date	Description		Amount
	Beyers-7-31		07/31/2015	Softball Officials July 20-31, 2015		\$198.00
81225	08/07/2015	Open			GLOBAL ENVIRONMENTAL PRODUCTS INC	\$611.79
	Invoice		Date	Description		Amount
	627096		07/24/2015	sweeper parts 1310 - Gas Tax Fund		\$611.79
81226	08/07/2015	Open			HOME DEPOT CREDIT SERVICES	\$50.15
	Invoice		Date	Description		Amount
	5021428		07/08/2015	Supplies for Art & Music at the Beach		\$50.15
81227	08/07/2015	Open			KIMLEY-HORN AND ASSOCIATES INC.	\$13,012.25
	Invoice		Date	Description		Amount
	6792357		06/30/2015	June Services, 708 Capitola Ave.		\$2,455.00
	6884911		06/30/2015	services thru 6/30/15		\$5,117.55
	6884919		06/30/2015	McGregor Road Widening Improvements		\$3,714.70
	6907380		07/31/2015	housing element update July 2015		\$1,732.25
				1000 - General Fund - \$6,169.70		
				1200 - Capital Improvement Fund - \$5,117.55		
				1313 - General Plan Update and Maint - \$1,732.25		
81228	08/07/2015	Open			Kirby Scudder	\$425.00
	Invoice		Date	Description		Amount
	0011		07/24/2015	BIA sponsorship 1321 - BIA - Capitola Village-Wharf BIA		\$425.00
81229	08/07/2015	Open			LABORMAX STAFFING	\$5,640.00
	Invoice		Date	Description		Amount
	26-50299		07/24/2015	July2015 Contract labor		\$2,532.71
	26-50548		07/31/2015	July2015 Contract Labor		\$3,107.30
81230	08/07/2015	Open			LAFCO/LOCAL AGENCY FORMATION COMMISSION	\$6,796.62
	Invoice		Date	Description		Amount
	FY15/16Fees		07/01/2015	FY 2015/16 Fees		\$6,796.62
81231	08/07/2015	Open			LIUNA PENSION FUND	\$717.60
	Invoice		Date	Description		Amount
	2016-00000060		07/24/2015	LIUNA - LIUNA Pension Dues July 1001 - Payroll Payables		\$717.60

Attachment: 8-7-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transac Am
81232	08/07/2015	Open			MARK GONZALEZ	\$22
	Invoice		Date	Description		Amount
	20150716		07/16/2015	Reimburse Textbooks, Educ Reimbursement		\$225.60
81233	08/07/2015	Open			MARQUART MUSEUM CONSULTING	\$1,98
	Invoice		Date	Description		Amount
	03-02-20150713		07/13/2015	June Svcs, Museum Accessioning		\$1,980.00
81234	08/07/2015	Open			MICHAEL GREENWALD	\$10,00
	Invoice		Date	Description		Amount
	3		07/08/2015	McGregor Skatepark services thru 7/8/15 1200 - Capital Improvement Fund		\$10,000.00
81235	08/07/2015	Open			MID COUNTY AUTO SUPPLY	\$84
	Invoice		Date	Description		Amount
	429038		07/11/2015	auto supplies		\$24.85
	428904		07/10/2015	parts		\$63.94
	429189		07/13/2015	Tool Shop		\$401.95
	429168		07/13/2015	auto parts		\$26.44
	430508		07/24/2015	Tools: Socket		\$12.16
	431004		07/29/2015	auto parts		\$155.26
	430894		07/28/2015	99 Ford F250 radiator hoses		\$60.01
	430892		07/28/2015	a/t filter kits: B144 and B172		\$70.39
	431542		08/03/2015	suppressor copper plug, distributor rotor and cap		\$34.34
81236	08/07/2015	Open			MISSION LINEN SUPPLY	\$35
	Invoice		Date	Description		Amount
	500434243		07/01/2015	Coverall and Towels laundry svc, Corp Yd		\$71.14
	500434241		07/01/2015	Rec Mat and Mop Cleaning		\$60.87
	500434242		07/01/2015	Coveralls and Towels, Fleet		\$30.46
	500479384		07/08/2015	Fleet coveralls and Towels		\$30.46
	500479385		07/08/2015	Coverall and Towels, Corp Yd		\$92.51
	500524396		07/15/2015	Corp Yd Coveralls and Towels		\$71.14
81237	08/07/2015	Open			MONTEREY BAY AREA SELF INSURANCE AUTHORITY	\$258,77
	Invoice		Date	Description		Amount
	150701-1		07/12/2015	premiums: prop, work comp, lia, eap 2213 - ISF - Self-Insurance Liability - \$158,777.54 2214 - ISF - Workers Compensation - \$100,000.00		\$258,777.54
81238	08/07/2015	Open			MV TRANSPORTATION INC.	\$4,79
	Invoice		Date	Description		Amount
	62101		08/03/2015	Beach Shuttle Service July 2015		\$4,796.80
81239	08/07/2015	Open			NICHOLS CONSULTING ENGINEERS CHTD	\$5,89
	Invoice		Date	Description		Amount
	303055502		07/21/2015	Pavement Management Program-Design Plans 1200 - Capital Improvement Fund		\$5,890.00
81240	08/07/2015	Open			ORCHARD SUPPLY HARDWARE	\$2
	Invoice		Date	Description		Amount
	6011-3395113		07/23/2015	bolts, washers, hex nuts		\$25.15

Attachment: 8-7-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transac Am
81241	08/07/2015	Open			PACIFIC MONARCH	\$36
	Invoice		Date	Description		Amount
	45291OT		07/30/2015	Bus to Regionals OT charge		\$360.00
81242	08/07/2015	Open			PALACE OFFICE SUPPLIES	\$21
	Invoice		Date	Description		Amount
	325572		07/14/2015	Office Supplies, City Hall		\$160.61
	9171481		07/27/2015	Supplies-Rec		\$6.08
	328112-0		08/03/2015	sticky notes, battery, appointment book 1000 - General Fund - \$6.08 2210 - ISF - Stores Fund - \$204.84		\$44.23
81243	08/07/2015	Open			PAPE MACHINERY	\$62
	Invoice		Date	Description		Amount
	9588857		08/03/2015	starter and core discount		\$625.31
81244	08/07/2015	Open			PEELLE TECHNOLOGIES INC.	\$60
	Invoice		Date	Description		Amount
	cocpl2260		07/30/2015	Document prep, scanning, lg format, indexing, dvd		\$606.76
81245	08/07/2015	Open			PERFORMANCE PAINTING CO.	\$2,00
	Invoice		Date	Description		Amount
	818605		07/27/2015	Pressure wash and paint library		\$2,000.00
81246	08/07/2015	Open			ROYAL WHOLESALE ELECTRIC	\$4
	Invoice		Date	Description		Amount
	7719-594784		07/10/2015	Misc. Supplies		\$41.33
81247	08/07/2015	Open			S&S WORLDWIDE INC	\$3
	Invoice		Date	Description		Amount
	8699815		07/23/2015	Nets for Jade Street basketball hoops		\$35.01
81248	08/07/2015	Open			SPORT ABOUT	\$61
	Invoice		Date	Description		Amount
	6927		07/27/2015	Camp t-shirts		\$614.75
81249	08/07/2015	Open			WATSONVILLE BLUEPRINT	\$7
	Invoice		Date	Description		Amount
	55062		08/03/2015	scanned public works projects		\$75.11
81250	08/07/2015	Open			WEBER HAYES & ASSOCIATES INC.	\$19,21
	Invoice		Date	Description		Amount
	10399		12/31/2014	McGregor Soil Assessment services 11/2014-12/2014 1200 - Capital Improvement Fund		\$19,219.65
81251	08/07/2015	Open			Alejandra De Dios Camara	\$8
	Invoice		Date	Description		Amount
	2016-00000088		07/31/2015	Camp Jr. Leader Session 3 Payment		\$80.00
81252	08/07/2015	Open			Baylie Turner	\$1
	Invoice		Date	Description		Amount
	2016-00000097		07/31/2015	Camp Jr. Leader Session 3 Payment		\$15.00

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# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Amount	Transaction
81253	08/07/2015	Open			Bria Quitzau		\$8
	Invoice		Date	Description		Amount	
	2016-00000095		07/31/2015	Camp Jr. Leader Session 3 Payment		\$88.00	
81254	08/07/2015	Open			Camryn Martin		\$7
	Invoice		Date	Description		Amount	
	2016-00000092		07/31/2015	Camp Jr. Leader Session 3 Payment		\$78.00	
81255	08/07/2015	Open			Daniel Homer		\$8
	Invoice		Date	Description		Amount	
	2016-00000089		07/31/2015	Camp Jr. Leader Session 3 Payment		\$80.00	
81256	08/07/2015	Open			Hans Larson		\$7
	Invoice		Date	Description		Amount	
	2016-00000090		07/31/2015	Camp Jr. Leader Session 3 Payment		\$74.00	
81257	08/07/2015	Open			Jasmine Larson		\$8
	Invoice		Date	Description		Amount	
	2016-00000091		07/31/2015	Camp Jr. Leader Session 3 Payment		\$86.00	
81258	08/07/2015	Open			Jordyn Williams		\$6
	Invoice		Date	Description		Amount	
	2016-00000098		07/31/2015	Camp Jr. Leader Session 3 Payment		\$68.00	
81259	08/07/2015	Open			Kate Motroni		\$4
	Invoice		Date	Description		Amount	
	2016-00000094		07/31/2015	Camp Jr. Leader Session 3 Payment		\$40.00	
81260	08/07/2015	Open			Lindsay Carson		\$4
	Invoice		Date	Description		Amount	
	2016-00000086		07/31/2015	Camp Jr. Leader Session 3 Payment		\$40.00	
81261	08/07/2015	Open			Natalie Wilson		\$4
	Invoice		Date	Description		Amount	
	2016-00000099		07/31/2015	Camp Jr. Leader Session 3 Payment		\$40.00	
81262	08/07/2015	Open			Nicolas Mayo		\$1
	Invoice		Date	Description		Amount	
	2016-00000093		07/31/2015	Camp Jr. Leader Session 3 Payment		\$15.00	
81263	08/07/2015	Open			Shae Cornwell		\$8
	Invoice		Date	Description		Amount	
	2016-00000087		07/31/2015	Camp Jr. Leader Session 3 Payment		\$82.00	
81264	08/07/2015	Open			Suzanne and Clark Cochran		\$50
	Invoice		Date	Description		Amount	
	15-024 Cochran		08/03/2015	tree deposit refund 15-024		\$500.00	
81265	08/07/2015	Open			Trisha Moore		\$21
	Invoice		Date	Description		Amount	
	2002334.002		08/03/2015	JG Refund		\$216.00	

Attachment: 8-7-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/07/2015

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transac Am
81266	08/07/2015	Open			Tristan Thomson	\$9
	Invoice		Date	Description		Amount
	2016-00000096		07/31/2015	Camp Jr. Leader Session 3 Payment		\$92.00

EFT

149	08/06/2015	Open			CalPERS Health Insurance	\$59,89
	Invoice		Date	Description		Amount
	PERS Aug. Health		08/06/2015	CalPERS Health Aug. 2015		\$59,892.26
				1000 - General Fund - \$2,673.86		
				1001 - Payroll Payables - \$57,218.40		

City Main Totals:

Check Totals:	Count: 57	Total:	\$351,10
EFT Totals:	Count: 1	Total:	\$59,89
All Totals:	Count: 58	Total:	\$410,99

WELLS Payroll Totals:

Check Totals:	Count: 57	\$39,77
EFT Totals:	Count: 87	\$139,22
All Totals:	Count: 144	\$178,99

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Checks dated 8/14/15, numbered 81267 to 81362, plus 4 EFTs for a total disbursement of \$328,224.54, have been reviewed and authorized for distribution by the City Manager.

As of 8/14/2015 the unaudited cash balance is \$4,093,380.89.

	Net Balance
General Fund	\$863,475.37
Payroll Payables	\$5,289.44
Contingency Reserve Fund	\$1,803,945.66
PERS Contingency Fund	\$0.00
Facilities Reserve Fund	\$159,870.00
Capital Improvement Fund	\$773,698.60
Stores Fund	\$18,402.17
Information Technology Fund	\$133,279.98
Equipment Replacement	\$124,178.17
Self Insurance Liability Fund	(\$1,745.79)
Worker's Comp. Ins. Fund	\$221,856.79
Compensated Absences Fund	(\$8,869.50)
<b>TOTAL UNASSIGNED GENERAL FUNDS</b>	<b>\$4,093,380.89</b>

The Emergency Reserve Fund Balance is \$1,049,205.54 (not included above).

  
 \_\_\_\_\_  
 Mark Welch, Finance Director

08/14/2015  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Christine McBroom, City Treasurer

\_\_\_\_\_  
 Date

Attachment: 8-14-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81267	08/10/2015 Invoice 2016-00000114	Open			ADRIENNE HARRELL	\$884.65
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$884.65
81268	08/10/2015 Invoice 2016-00000104	Open			BETH MARIE MASTRUDE	\$292.50
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$292.50
81269	08/10/2015 Invoice 2016-00000112	Open			BRUCE INK	\$397.80
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$397.80
81270	08/10/2015 Invoice 2016-00000107	Open			CHARMAINE MONIZ	\$117.00
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$117.00
81271	08/10/2015 Invoice 08042015	Open			CHUCK DICKS	\$185.25
			Date	Description		Amount
			08/04/2015	Instructor Payment West Coast Swing		\$185.25
81272	08/10/2015 Invoice 2016-00000116	Open			CLAUDIO FRANCA	\$114.40
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$114.40
81273	08/10/2015 Invoice 1719	Open			CVS PHARMACY INC.	\$7.18
			Date	Description		Amount
			07/14/2015	water		\$7.18
81274	08/10/2015 Invoice 2016-00000105	Open			DIANE SEE-CABARGA	\$165.75
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$165.75
81275	08/10/2015 Invoice 2016-00000100	Open			FERESHTEH FATEMI	\$643.50
			Date	Description		Amount
			07/31/2015	Summer 2 Instructor Payment		\$643.50
81276	08/10/2015 Invoice 2016-00000103 2016-00000115	Open			FREDERIC CHARLEBOIS	\$3,949.85
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$135.00
			08/03/2015	Summer 2 Instructor Payments 2015		\$3,814.85
81277	08/10/2015 Invoice 2016-00000120	Open			HO KUK MU SUL CORPORATION	\$41.60
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$41.60
81278	08/10/2015 Invoice 2016-00000108	Open			JEANI MITCHELL	\$436.80
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$436.80

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## City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81279	08/10/2015 Invoice 2016-00000111	Open			LORRAINE KINNAMON	\$93.60
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$93.60
81280	08/10/2015 Invoice 2016-00000110	Open			MARC KRAFT	\$228.80
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$228.80
81281	08/10/2015 Invoice 500524384	Open			MISSION LINEN SUPPLY	\$60.87
			Date	Description		Amount
			07/15/2015	mop, mats		\$60.87
81282	08/10/2015 Invoice 2016-00000113	Open			NANCY HOWELLS	\$170.79
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$170.79
81283	08/10/2015 Invoice 2016-00000117	Open			PAT EVANS	\$185.25
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$185.25
81284	08/10/2015 Invoice 2016-00000118	Open			SESE EGAN GEDDES	\$124.80
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$124.80
81285	08/10/2015 Invoice 2016-00000102	Open			SHERRI BETZ	\$100.10
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$100.10
81286	08/10/2015 Invoice 2016-00000109	Open			SUELLEN MCCUTCHEN	\$250.25
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$250.25
81287	08/10/2015 Invoice 6752	Open			UNITED STATES POSTAL SERVICE	\$4,984.01
			Date	Description		Amount
			07/28/2015	Postage for mailing Early Fall brochures		\$4,984.01
81288	08/10/2015 Invoice 2016-00000106	Open			WENDY NOLAN	\$31.20
			Date	Description		Amount
			08/03/2015	Summer 2 Instructor Payments 2015		\$31.20
81289	08/10/2015 Invoice 2002333.002	Open			Karie Franks	\$232.00
			Date	Description		Amount
			07/30/2015	Refund		\$232.00
81290	08/14/2015 Invoice 0003991 0003992	Open			AKERS & ASSOCIATES INC.	\$6,355.00
			Date	Description		Amount
			08/06/2015	Kraemer Parcel Map Review - 502 Pine Street		\$1,675.00
			08/06/2015	Final Map Review - Surf and Sand MHP		\$4,680.00

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# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81291	08/14/2015 Invoice 14.1202.0-2	Open			ANDERSON BRULE ARCHITECTS, INC.	\$960.00
			Date	Description		Amount
			08/06/2015	Conceptual Library Parking Study		\$960.00
81292	08/14/2015 Invoice 2015052	Open			ARNONE, MICHAEL	\$1,362.25
			Date	Description		Amount
			06/23/2015	41st Avenue Medians contract completion, prints/r 1315 - Public Art Fee Fund		\$1,362.25
81293	08/14/2015 Invoice 6813557	Open			AT&T	\$1,755.76
			Date	Description		Amount
			07/13/2015	6/13-7/12/2015 service 1000 - General Fund - \$1460.97 2211 - ISF - Information Technology - \$294.79		\$1,755.76
81294	08/14/2015 Invoice 1349192	Open			BEN IRAO	\$92.95
			Date	Description		Amount
			07/01/2015	Hat		\$92.95
81295	08/14/2015 Invoice 58942W	Open			C&N TRACTORS	\$76.96
			Date	Description		Amount
			07/30/2015	Lift Arm		\$76.96
81296	08/14/2015 Invoice 112028	Open			CA DEPARTMENT OF JUSTICE	\$64.00
			Date	Description		Amount
			08/05/2015	fingerprint apps		\$64.00
81297	08/14/2015 Invoice 137028 136368 137085	Open			CALE AMERICA INC.	\$4,008.67
			Date	Description		Amount
			07/29/2015	Meter repair		\$350.67
			05/30/2015	May 2015		\$1,829.00
			07/31/2015	July active meters		\$1,829.00
81298	08/14/2015 Invoice 4252	Open			CALIFORNIA COAST UNIFORM COMPAN	\$510.15
			Date	Description		Amount
			07/09/2015	Zamora		\$510.15
81299	08/14/2015 Invoice 2016-00000127	Open			CAPITOLA PEACE OFFICERS ASSOCIAT	\$1,501.50
			Date	Description		Amount
			08/10/2015	POA Dues 1001 - Payroll Payables		\$1,501.50
81300	08/14/2015 Invoice 335073	Open			CHIEF SUPPLY	\$229.51
			Date	Description		Amount
			08/07/2015	supplies		\$229.51
81301	08/14/2015 Invoice 50510	Open			CODE PUBLISHING COMPANY INC.	\$970.00
			Date	Description		Amount
			08/03/2015	Annual (Web hosting, print/save, code trak, zoning		\$970.00

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# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81302	08/14/2015	Open			COMMUNITY PRINTERS	\$1,277.05
	Invoice 13224011		Date 07/24/2015	Description Summer 2015 Newsletter printing		Amount \$1,277.05
81303	08/14/2015	Open			COMPLETE MAILING SERVICE INC	\$692.52
	Invoice 65935		Date 07/27/2015	Description Summer Newsletter		Amount \$692.52
81304	08/14/2015	Open			COVELLO & COVELLO PHOTOGRAPHY	\$2,474.06
	Invoice 6237		Date 08/06/2015	Description JG Photos		Amount \$2,474.06
81305	08/14/2015	Open			FASTENAL COMPANY	\$15.84
	Invoice CASAT32124		Date 07/20/2015	Description Fasteners		Amount \$15.84
81306	08/14/2015	Open			FLYERS ENERGY LLC	\$1,782.07
	Invoice 15117762		Date 07/31/2015	Description ethanol 91 - 400 gallons		Amount \$1,463.71
	15117763		Date 07/31/2015	Description Misc. Supplies		Amount \$318.36
81307	08/14/2015	Open			HARRIS & ASSOCIATES	\$4,905.00
	Invoice 29197		Date 08/07/2015	Description Professional Services 7/1-7/31/15 1200-1000.000 (Cash Operating)		Amount \$4,905.00
81308	08/14/2015	Open			HEALTH EDUCATION SERVICES	\$175.41
	Invoice 18693		Date 07/27/2015	Description battery for AED		Amount \$175.41
81309	08/14/2015	Open			HOPE REHABILITATION SERVICES	\$2,142.00
	Invoice S156175		Date 07/31/2015	Description Litter Abatement, Beach Clean Up & Sidewalk Mail		Amount \$2,142.00
81310	08/14/2015	Open			ICMA RETIREMENT TRUST 457	\$5,475.73
	Invoice 2016-00000139		Date 08/10/2015	Description 457 Employee Contributions 1001 - Payroll Payables		Amount \$5,475.73
81311	08/14/2015	Open			JOHNSON ROBERTS & ASSOCIATES	\$17.00
	Invoice 126111		Date 07/20/2015	Description PHQ report mail in for fischetti		Amount \$17.00
81312	08/14/2015	Open			KING'S CLEANERS	\$624.75
	Invoice 7/20/15		Date 07/17/2015	Description June		Amount \$624.75
81313	08/14/2015	Open			LABORMAX STAFFING	\$1,923.00
	Invoice 26-50793		Date 08/07/2015	Description Temp staffing Aug 2015		Amount \$1,923.00

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# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81314	08/14/2015	Open			LIFE INSURANCE CO OF NORTH AMERI	\$2,251.83
	Invoice		Date	Description		Amount
	07312015		07/31/2015	CIGNA Life, LTD, STD, AD&D July 2015		\$2,251.83
				1000 - General Fund - \$59.01		
				1001 - Payroll Payables - \$2192.82		
81315	08/14/2015	Open			MID COUNTY AUTO SUPPLY	\$115.21
	Invoice		Date	Description		Amount
	429703		07/17/2015	valve and cap		\$8.13
	429603		07/16/2015	radio removal tool set		\$81.02
	429967		07/20/2015	hitemp, rtv black.15bo, adhsv sint or 9-1		\$26.06
81316	08/14/2015	Open			MISSION LINEN SUPPLY	\$265.94
	Invoice		Date	Description		Amount
	500652888		08/05/2015	Service charge, mats		\$43.50
	500563751		07/22/2015	Service charge, mats		\$43.50
	500608835		07/29/2015	Dust mops, mats		\$60.87
	500563764		07/15/2015	Mats, Soap, Roll Towels, Coveralls, Linen Maintena		\$87.61
	500608846		07/29/2015	Shop towels, Jacket, Coveralls		\$30.46
81317	08/14/2015	Open			NORTH BAY FORD	\$1,511.89
	Invoice		Date	Description		Amount
	FOCS301519		08/06/2015	flywheel, starter, retainer seal, nuts/bolts, labor		\$1,511.89
81318	08/14/2015	Open			PALACE OFFICE SUPPLIES	\$257.02
	Invoice		Date	Description		Amount
	326173-0		07/17/2015	Office supplies		\$92.71
	328749		08/06/2015	Paper		\$46.65
	327399		07/28/2015	Pencils for oral board		\$1.82
	3294890		08/11/2015	Paper, Hanging Folder		\$115.84
				1000 - General Fund - \$141.18		
				2210 - ISF - Stores Fund - \$115.84		
81319	08/14/2015	Open			POLAR AUTOMOTIVE & RADIATOR	\$682.29
	Invoice		Date	Description		Amount
	20645		07/28/2015	Radiator		\$200.10
	20650		08/04/2015	Chipper Radiator		\$482.19
81320	08/14/2015	Open			SANTA CRUZ COUNTY ANTI-CRIME TEA	\$17,993.20
	Invoice		Date	Description		Amount
	080		07/20/2015	2015/2016 operational/support staff		\$17,993.20
81321	08/14/2015	Open			SANTA CRUZ COUNTY AUDITOR-CONTI	\$16,256.50
	Invoice		Date	Description		Amount
	July2015		07/31/2015	July 2015 Citation Charges		\$16,256.50
81322	08/14/2015	Voided			SANTA CRUZ COUNTY BANK	\$165,065.74
	Invoice		Date	Description		Amount
	payment 6		08/14/2015	Pacific Cove Financing Lease Payment		\$82,532.87
	2015-8		07/19/2015	Pacific Cove Financing Lease Payment		\$82,532.87
				1420 - Pac Cove Lease Financing		

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## City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81323	08/14/2015 Invoice 11197	Open	07/29/2015	Travel Guide Full Page Ad 1321 - BIA - Capitola Village-Wharf BIA	SANTA CRUZ COUNTY CONFERENCE &	\$2,580.00
81324	08/14/2015 Invoice sccAug2015 4th qrt 2015 sccJuly2015	Open	07/26/2015 07/07/2015 07/06/2015	Open query scan Aug 2015 Radio shop quarterly charges Open query scan July 2015	SANTA CRUZ COUNTY INFORMATION S	\$2,048.97
81325	08/14/2015 Invoice 16019	Open	08/03/2015	fingerprinting	SANTA CRUZ COUNTY OFFICE OF EDUCATION	\$30.00
81326	08/14/2015 Invoice 2602016-00000141	Open	08/10/2015	WATER BILLS FOR STREET MEDIANS	SANTA CRUZ MUNICIPAL UTILITIES	\$831.32
81327	08/14/2015 Invoice July2015	Open	07/31/2015	Advertising and PSAs for July 2015 1000 - General Fund -\$798.11 1200 - Capital Improvement Fund - \$220.46	SANTA CRUZ SENTINEL	\$1,018.57
81328	08/14/2015 Invoice 3617	Open	07/29/2015	Vehicle cleanup 7/22/15	SERVPRO OF SANTA CRUZ	\$137.94
81329	08/14/2015 Invoice 0217657-in	Open	08/03/2015	supplies	SIRCHIE	\$362.73
81330	08/14/2015 Invoice 2016-00000142 2016-00000143	Open	07/31/2015 08/10/2015	Semi-Monthly Water Usage, Irrigation (early) Semi-monthly water use (late) 1000 - General Fund -\$15548.39 1311 - Wharf Fund -\$834.59	SOQUEL CREEK WATER DISTRICT	\$16,382.98
81331	08/14/2015 Invoice 6935	Open	08/03/2015	JG t-shirts	SPORT ABOUT	\$293.57
81332	08/14/2015 Invoice 0000954791315	Open	08/01/2015	shipping	UNITED PARCEL SERVICE	\$7.05

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## City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81333	08/14/2015	Open			US BANK PARS	\$2,818.58
	Invoice		Date	Description		Amount
	2016-00000128		08/10/2015	Employee/Employer PARS Contributions 1001 - Payroll Payables		\$2,818.58
81334	08/14/2015	Open			WATSONVILLE BLUEPRINT	\$29.33
	Invoice		Date	Description		Amount
	55255		08/10/2015	Prints		\$29.33
81335	08/14/2015	Open			CHARLIE BAILEY	\$492.34
	Invoice		Date	Description		Amount
	2016-00000124		08/10/2015	Lodging for JG instructors @ Regionals Comp		\$492.34
81336	08/14/2015	Open			CHARLIE BAILEY	\$610.00
	Invoice		Date	Description		Amount
	2016-00000125		08/10/2015	Food for team @ Regionals Comp		\$610.00
81337	08/14/2015	Open			DAVID KRAEMER	\$1,300.80
	Invoice		Date	Description		Amount
	2016-00000138		08/10/2015	Refund of Final Map Review deposit		\$1,300.80
81338	08/14/2015	Open			Frank Gonzales	\$10.00
	Invoice		Date	Description		Amount
	2016-00000136		07/24/2015	refund cite 155123950		\$10.00
81339	08/14/2015	Open			Harry and Bernardine Schoenfeld	\$36.00
	Invoice		Date	Description		Amount
	2016-00000135		07/24/2015	Refund cite 133127776		\$36.00
81340	08/14/2015	Open			Jeff Wymer	\$38.00
	Invoice		Date	Description		Amount
	2016-00000140		08/07/2015	refund cite 155124350		\$38.00
81341	08/14/2015	Open			Marc Pappalardo	\$10.00
	Invoice		Date	Description		Amount
	2016-00000137		08/04/2015	Refund cite 177123791		\$10.00
81342	08/14/2015	Open			AMY FERRASCI-HARP	\$1,210.00
	Invoice		Date	Description		Amount
	50		08/05/2015	Newsletter, brochure, website, data management, i 1321 - BIA - Capitola Village-Wharf BIA		\$1,210.00
81343	08/14/2015	Open			CAPITOLA-SOQUEL CHAMBER OF COM	\$7,500.00
	Invoice		Date	Description		Amount
	1727		08/03/2015	q1 - fy quarterly payment		\$7,500.00

Attachment: 8-14-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81344	08/14/2015	Open			D & G SANITATION	\$1,622.44
	Invoice		Date	Description		Amount
	223743		07/31/2015	Wharf portable toilets		\$1,197.23
	223744		07/31/2015	B&V II portable toilets		\$425.21
				1000 - General Fund -\$425.21		
				1311 - Wharf Fund -\$1197.23		
81345	08/14/2015	Open			DOGHERRA'S INC.	\$150.00
	Invoice		Date	Description		Amount
	319264		06/23/2015	Floating dock ramp repairs		\$150.00
				1311 - Wharf Fund		
81346	08/14/2015	Open			EWING IRRIGATION	\$156.14
	Invoice		Date	Description		Amount
	59465		07/21/2015	Rake		\$17.13
	67320		07/22/2015	Irrigation supplies		\$8.54
	90037		07/25/2015	Turf repair - sewer project		\$112.64
	100089		07/28/2015	Irrigation supplies		\$17.83
81347	08/14/2015	Open			FARWEST NURSERY	\$41.37
	Invoice		Date	Description		Amount
	131243		08/04/2015	Plants		\$41.37
81348	08/14/2015	Open			GRANITE ROCK COMPANY	\$557.01
	Invoice		Date	Description		Amount
	905899		07/25/2015	Granitepatch		\$557.01
				1310 - Gas Tax Fund		
81349	08/14/2015	Open			MOST DEPENDABLE FOUNTAINS INC.	\$3,224.88
	Invoice		Date	Description		Amount
	38392		07/27/2015	Replace drinking fountain - Cortez		\$3,224.88
81350	08/14/2015	Open			OLIVE SPRINGS QUARRY INC.	\$313.09
	Invoice		Date	Description		Amount
	99242		07/27/2015	Capitola Rd. repair		\$313.09
				1310 - Gas Tax Fund		
81351	08/14/2015	Open			SAN LORENZO LUMBER	\$40.25
	Invoice		Date	Description		Amount
	55-0068249		07/30/2015	Wood		\$29.30
	55-0068261		07/30/2015	City Hall fence		\$10.95
81352	08/14/2015	Open			SANTA CRUZ COUNTY BANK	\$82,532.87
	Invoice		Date	Description		Amount
	2015-8		07/19/2015	Pacific Cove Financing Lease Payment		\$82,532.87
				1420 - Pac Cove Lease Financing		
81353	08/14/2015	Open			SANTA CRUZ COUNTY SHERIFF	\$6,323.00
	Invoice		Date	Description		Amount
	15.16		08/01/2015	15/16 SANE contract		\$6,323.00

Attachment: 8-14-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
81354	08/14/2015 Invoice 441301	Open			SANTA CRUZ ELECTRONICS INC.	\$31.12
			Date	Description		Amount
			07/28/2015	cables, adapters 2211 - ISF - Information Technology		\$31.12
81355	08/14/2015 Invoice 1512	Open			SANTA CRUZ PLUMBING	\$220.00
			Date	Description		Amount
			07/24/2015	Plugged sink drain		\$220.00
81356	08/14/2015 Invoice IN0075428	Open			SCC ENVIRONMENTAL HEALTH SVC	\$13,961.25
			Date	Description		Amount
			08/05/2015	Site Mitigation Oversight Charges 4/8/15-6/24/15 1200 - Capital Improvement Fund		\$13,961.25
81357	08/14/2015 Invoice 327486	Open			SOQUEL NURSERY GROWERS, INC.	\$75.31
			Date	Description		Amount
			07/29/2015	Plants		\$75.31
81358	08/14/2015 Invoice 23640 24225 24227	Open			SUMMIT UNIFORM CORP	\$409.99
			Date	Description		Amount
			07/01/2015	Blankenship		\$187.05
			07/27/2015	Blankenship		\$160.95
			07/27/2015	Ryan		\$61.99
81359	08/14/2015 Invoice 1668572 1671892	Open			SUPPLYWORKS	\$3,310.46
			Date	Description		Amount
			07/21/2015	Cleaning supplies		\$2,091.18
			07/28/2015	Cleaning supplies		\$1,219.28
81360	08/14/2015 Invoice 5934	Open			THE CLEANING MACHINE INC.	\$2,680.00
			Date	Description		Amount
			07/30/2015	Village sidewalk cleaning		\$2,680.00
81361	08/14/2015 Invoice accinv0005061	Open			WATCHGUARD VIDEO	\$989.63
			Date	Description		Amount
			07/24/2015	Supplies 1300 - SLESF - Supplemental Law Enforce		\$989.63
81362	08/14/2015 Invoice 2002332.002	Open			Nancy Brown	\$204.00
			Date	Description		Amount
			07/15/2015	JG Refund		\$204.00

Attachment: 8-14-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 8/14/2015

Check Number	Invoice Number	Status	Invoice Date	Description	Payee Name	Transaction Amount
<b>EFT</b>						
151	08/10/2015 Invoice 2016-00000132	Open			EMPLOYMENT DEVELOPMENT DEPT	\$6,425.20
			08/07/2015	CA taxes 8/7/15 pay date 1001 - Payroll Payables		\$6,425.20
152	08/10/2015 Invoice 2016-00000133	Open			INTERNAL REVENUE SERVICE	\$27,673.30
			08/07/2015	FED - tax deposit 8/7/15 1001 - Payroll Payables		\$27,673.30
153	08/10/2015 Invoice 2016-00000134	Open			STATE DISBURSEMENT UNIT	\$998.04
			08/07/2015	Garnishments 8/7/15 pay date 1001 - Payroll Payables		\$998.04
154	08/11/2015 Invoice 2016-00000131	Open			CalPERS Member Services Division	\$46,114.00
			08/11/2015	8/7/15 PERS Contribution 1000 - General Fund - \$(1.07) 1001 - Payroll Payables - \$46,115.07		\$46,114.00
<b>Check Totals:</b>			<b>Count: 95</b>			<b>\$247,014.00</b>
<b>Voided Checks:</b>			<b>Count: 1</b>			<b>\$165,065.74</b>
<b>EFT Totals:</b>			<b>Count: 4</b>			<b>\$81,210.54</b>
<b>Total Disbursements:</b>			<b>Count: 100</b>			<b>\$328,224.54</b>

Attachment: 8-14-15 City Check Register (1121 : Approval of City Check Register Reports)

Checks dated 8/21/15, numbered 81366 to 81433, plus 1 Successor Agency check, numbered 5015, for a total disbursement of \$79,394.84, have been reviewed and authorized for distribution by the City Manager.

As of 8/21/2015 the unaudited cash balance is \$4,636,269.41.

	<u>Net Balance</u>
General Fund	\$1,325,386.71
Payroll Payables	\$115,855.76
Contingency Reserve Fund	\$1,803,945.66
PERS Contingency Fund	\$0.00
Facilities Reserve Fund	\$159,870.00
Capital Improvement Fund	\$752,976.14
Stores Fund	\$16,106.90
Information Technology Fund	\$132,639.98
Equipment Replacement	\$124,178.17
Self Insurance Liability Fund	(\$7,677.20)
Worker's Comp. Ins. Fund	\$221,856.79
Compensated Absences Fund	(\$8,869.50)
TOTAL UNASSIGNED GENERAL FUNDS	\$4,636,269.41

The Emergency Reserve Fund Balance is \$1,049,205.54 (not included above).

  
 \_\_\_\_\_  
 Mark Welch, Finance Director

08/21/2015  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Christine McBroom, City Treasurer

\_\_\_\_\_  
 Date

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

City of Capitola

# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
<b>City Main Account</b>						
81366	08/17/2015	Open			BIOBAG AMERICAS INC.	\$3,128.53
	Invoice		Date	Description	Amount	
	434900		06/23/2015	Dog waste bags	\$635.37	
	435149		07/06/2015	Dog waste bags	\$1,857.63	
	435439		07/20/2015	Dog waste bags	\$635.53	
81367	08/17/2015	Open			PALACE OFFICE SUPPLIES	\$30.12
	Invoice		Date	Description	Amount	
	312925		04/09/2015	Document Frame	\$30.12	
				2210 - ISF - Stores Fund		
81368	08/17/2015	Open			SANTA CRUZ MUNICIPAL U	\$89.76
	Invoice		Date	Description	Amount	
	07/22/2015		07/22/2015	WATER BILLS FOR STREET MEDIANS	\$89.76	
81369	08/17/2015	Open			SUMMIT UNIFORM CORP	\$442.61
	Invoice		Date	Description	Amount	
	23650		07/01/2015	Booth	\$442.61	
81370	08/17/2015	Open			Alejandra de Dios Camara	\$74.00
	Invoice		Date	Description	Amount	
	2016-00000147		08/14/2015	Camp Junior Leader payments Session 4	\$74.00	
81371	08/21/2015	Open			AFLAC	\$466.76
	Invoice		Date	Description	Amount	
	532771		08/01/2015	AFLAC August premiums	\$466.76	
				1001 - Payroll Payables		
81372	08/21/2015	Open			ALLSAFE LOCK COMPANY	\$30.85
	Invoice		Date	Description	Amount	
	47490		08/13/2015	Keys	\$30.85	
81373	08/21/2015	Open			AUTOMATION TEST ASSOC	\$25.00
	Invoice		Date	Description	Amount	
	42700		08/18/2015	Meter reading	\$25.00	
				1311 - Wharf Fund		
81374	08/21/2015	Open			B & B SMALL ENGINE REPA	\$1,681.97
	Invoice		Date	Description	Amount	
	332690		08/03/2015	Chain	\$49.68	
	332689		08/03/2015	Cut off saw, concrete, chain	\$1,632.29	
81375	08/21/2015	Open			BANK OF AMERICA	\$70.38
	Invoice		Date	Description	Amount	
	080815		07/09/2015	Lunch w/ Mayor and CDD	\$70.38	
81376	08/21/2015	Open			BARBARA GRAHAM-GARCIA	\$250.00
	Invoice		Date	Description	Amount	
	184		08/14/2015	Ergonomic consulting - Brian Van Son	\$250.00	

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81377	08/21/2015	Open			BEAR ELECTRICAL SOLUTIO	\$1,156.00
	Invoice		Date	Description	Amount	
	2400		07/31/2015	July 2015 Traffic Signal Maintenance-Rout	\$616.00	
	2442		07/31/2015	2015 July Traffic Signal Maintenance-Resq 1310 - Gas Tax Fund	\$540.00	
81378	08/21/2015	Open			BRINKS AWARDS & SIGNS	\$920.02
	Invoice		Date	Description	Amount	
	77033		08/12/2015	JG Awards	\$920.02	
81379	08/21/2015	Open			CASEY PRINTING	\$3,760.08
	Invoice		Date	Description	Amount	
	29041011		08/07/2015	Rec Fall Activity Guide printing	\$3,760.08	
81380	08/21/2015	Open			DANIEL REED	\$66.00
	Invoice		Date	Description	Amount	
	8142015		08/14/2015	Softball Officials Aug 3-14 2015	\$66.00	
81381	08/21/2015	Open			EMBROIDERY WORKS	\$644.09
	Invoice		Date	Description	Amount	
	15-4067		08/10/2015	JG patches	\$644.09	
81382	08/21/2015	Open			EWING IRRIGATION	\$759.64
	Invoice		Date	Description	Amount	
	150190		08/05/2015	Irrigation repair	\$95.12	
	150191		08/05/2015	Jute netting	\$46.77	
	173264		08/08/2015	Jade St valves	\$617.75	
81383	08/21/2015	Open			FARWEST NURSERY	\$12.97
	Invoice		Date	Description	Amount	
	195306		08/18/2015	Plants	\$12.97	
81384	08/21/2015	Open			FIRST ALARM	\$202.80
	Invoice		Date	Description	Amount	
	850308		08/14/2015	Community Center Alarm	\$202.80	
81385	08/21/2015	Open			FRED C. BEYERS	\$264.00
	Invoice		Date	Description	Amount	
	8142015		08/14/2015	Softball Officials Aug 3-14 2015	\$264.00	
81386	08/21/2015	Open			FRED MENG AUDIO VISUAL	\$1,125.00
	Invoice		Date	Description	Amount	
	08172015		08/17/2015	Movies at the beach audio/video services	\$1,125.00	
81387	08/21/2015	Open			GEORGE McMENAMIN	\$325.00
	Invoice		Date	Description	Amount	
	Riparian 38		08/17/2015	Riparian Restoration 15/16	\$325.00	
81388	08/21/2015	Open			HOPE REHABILITATION SEI	\$3,570.00
	Invoice		Date	Description	Amount	
	S156037		07/15/2015	Litter Abatement, Beach Clean Up & Sidev	\$1,785.00	
	S156386		08/15/2015	Litter Abatement, Beach Clean Up & Sidev	\$1,785.00	

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)



# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81389	08/21/2015 Invoice 15-095-3	Open	Date 08/18/2015	Description July 2015 Staff Consultant Hours	ILLINGWORTH & RODKIN IN Amount \$270.00	\$270.00
81390	08/21/2015 Invoice 50250279	Open	Date 07/22/2015	Description battery	INTERSTATE BATTERY SYS Amount \$93.47	\$93.47
81391	08/21/2015 Invoice 2650793 26-51053	Open	Date 08/07/2015 08/14/2015	Description Contract Labor 8/1-8/7 Contract Labor 8/10-8/14	LABORMAX STAFFING Amount \$1,923.00 \$1,923.00	\$3,846.00
81392	08/21/2015 Invoice 101-024155	Open	Date 07/28/2015	Description Woodworking service	LACKEY WOODWORKING II Amount \$226.35	\$226.35
81393	08/21/2015 Invoice 201503-4	Open	Date 08/12/2015	Description Rispin Park Plan Development 1200 - Capital Improvement Fund	MICHAEL ARNONE Amount \$1,135.75	\$1,135.75
81394	08/21/2015 Invoice 87000	Open	Date 08/06/2015	Description Monthly Record Storage - August 2015	MILLER'S TRANSFER & STC Amount \$535.05	\$535.05
81395	08/21/2015 Invoice 38482	Open	Date 07/31/2015	Description Sales Tax Reporting Service for 1st Quart	MUNISERVICES LLC Amount \$1,209.62	\$1,209.62
81396	08/21/2015 Invoice Sneddon2015	Open	Date 08/12/2015	Description Notary policy term renewal 1year S. Snedc	NATIONAL NOTARY ASSOC Amount \$33.00	\$33.00
81397	08/21/2015 Invoice 718061	Open	Date 07/31/2015	Description Park Mobile 12x18 stickers	PARKMOBILE LLC Amount \$445.79	\$445.79
81398	08/21/2015 Invoice 260598	Open	Date 08/05/2015	Description Safety supplies	PK SAFETY SUPPLY Amount \$75.69	\$75.69
81399	08/21/2015 Invoice 7719-594985	Open	Date 07/16/2015	Description Pliers - Matt	ROYAL WHOLESALE ELECT Amount \$32.63	\$32.63
81400	08/21/2015 Invoice 081503	Open	Date 08/04/2015	Description Monterey Ave Skate Park EIR July 2015	STRELOW CONSULTING Amount \$1,015.00	\$1,015.00

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81401	08/21/2015 Invoice 8-19-15	Open	Date 08/17/2015	Description Temporary Parking Lot Use 1200 - Capital Improvement Fund	Baycreek LLC	\$500.00
81402	08/21/2015 Invoice 2016-00000153	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Baylie Turner	\$95.00
81403	08/21/2015 Invoice 2016-00000149	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Dylan Helms	\$112.00
81404	08/21/2015 Invoice 2016-00000165	Open	Date 08/01/2015	Description settlement claim 2213 - ISF - Self-Insurance Liability	H. Joseph Wagner	\$1,638.12
81405	08/21/2015 Invoice 2016-00000148	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Hans Larson	\$40.00
81406	08/21/2015 Invoice 2016-00000154	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Jordyn Williams	\$68.00
81407	08/21/2015 Invoice 2016-00000151	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Kate Motroni	\$40.00
81408	08/21/2015 Invoice 2016-00000145	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Lindsey Carson	\$72.00
81409	08/21/2015 Invoice 2016-00000164	Open	Date 08/19/2015	Description settlement claim 2213 - ISF - Self-Insurance Liability	Michael Pratt	\$639.00
81410	08/21/2015 Invoice 2016-00000155	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Natalie Wilson	\$145.00
81411	08/21/2015 Invoice 2016-00000150	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Nicolas Mayo	\$16.00
81412	08/21/2015 Invoice 2016-00000152	Open	Date 08/14/2015	Description Camp Junior Leader payments Session 4	Owen Silveria	\$72.00

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81415	08/21/2015 Invoice 4766878	Open	Date 07/28/2015	Description 5x7 print	BAY PHOTO LAB Amount \$2.16	\$2.16
81416	08/21/2015 Invoice 100247	Open	Date 07/27/2015	Description K-9 supplies	ELITE K-9 INC. Amount \$495.80	\$495.80
81417	08/21/2015 Invoice 453268 453270	Open	Date 07/28/2015 07/28/2015	Description Batteries Batteries	INTERSTATE BATTERY SYS Amount \$23.06 \$108.64	\$131.70
81418	08/21/2015 Invoice 11655354	Open	Date 07/31/2015	Description July	LOOMIS Amount \$522.23	\$522.23
81419	08/21/2015 Invoice 08122015	Open	Date 08/12/2015	Description Postage Supplies Refill 2210 - ISF - Stores Fund	PITNEY BOWES INC. Amount \$2,124.36	\$2,124.36
81420	08/21/2015 Invoice 260590 260592	Open	Date 08/05/2015 08/05/2015	Description Safety supplies Safety supplies	PK SAFETY SUPPLY Amount \$174.76 \$133.73	\$308.49
81421	08/21/2015 Invoice 56876	Open	Date 07/31/2015	Description Capitola General Plan and EIR 1313 - General Plan Update and Maint	PLACEWORKS Amount \$1,183.98	\$1,183.98
81422	08/21/2015 Invoice EIA14941	Open	Date 08/01/2015	Description August Dental & Vision insurance 1001 - Payroll Payables	PREFERRED BENEFIT INSU Amount \$5,178.54	\$5,178.54
81423	08/21/2015 Invoice 5567	Open	Date 08/12/2015	Description 33 50-gallon Black Ivy Rain Barrels	RAIN WATER SOLUTIONS II Amount \$2,310.00	\$2,310.00
81424	08/21/2015 Invoice 7719-595051	Open	Date 07/20/2015	Description screwdriver	ROYAL WHOLESALE ELECT Amount \$56.72	\$56.72
81425	08/21/2015 Invoice 5070480	Open	Date 07/26/2015	Description Jade Street drinking fountain	SOIL CONTROL LAB Amount \$354.00	\$354.00
81426	08/21/2015 Invoice 2086207	Open	Date 08/17/2015	Description Movies at the beach / Lego Movie	SWANK MOTION PICTURES Amount \$359.66	\$359.66

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/21/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81427	08/21/2015	Open			T MOBILE	\$12,131.76
	Invoice		Date	Description	Amount	
	08132015PastDue		06/30/2015	hardware charges	\$10,303.32	
	08132015Current		08/06/2015	July mobile phone charges	\$1,828.44	
81428	08/21/2015	Open			TARGET SPECIALTY PRODI	\$409.73
	Invoice		Date	Description	Amount	
	PI0312116		08/07/2015	Roundup, freight	\$409.73	
81429	08/21/2015	Open			WELLS FARGO BANK	\$4,372.37
	Invoice		Date	Description	Amount	
	08042015		07/31/2015	July 2015 WF credit card charges	\$4,372.37	
				1000 - General Fund -	\$4,007.33	
				1313 - General Plan Update and Maint -	\$26.00	
				2210 - ISF - Stores Fund -	\$24.95	
				2211 - ISF - Information Technology -	\$314.09	
81430	08/21/2015	Open			WESTERN EXTERMINATOR	\$100.00
	Invoice		Date	Description	Amount	
	3380799		07/31/2015	City Hall	\$50.00	
	7312015		07/31/2015	Turnouts	\$50.00	
81431	08/21/2015	Open			Rob Bunter	\$1,667.29
	Invoice		Date	Description	Amount	
	2016-00000169		08/20/2015	Settlement Claim	\$1,667.29	
				2213 - ISF - Self-Insurance Liability		
81432	08/21/2015	Open			Sandra Haven	\$295.00
	Invoice		Date	Description	Amount	
	2016-00000166		08/18/2015	settlement claim	\$295.00	
				2213 - ISF - Self-Insurance Liability		
81433	08/21/2015	Open			Shae Cornwell	\$40.00
	Invoice		Date	Description	Amount	
	2016-00000146		08/14/2015	Camp Junior Leader payments Session 4	\$40.00	
<b>SA - Successor Agency Account</b>						
5015	08/21/2015	Open			CASTLE MOBILE ESTATES	\$15,900.00
	Invoice		Date	Description	Amount	
	081315Castle		08/13/2015	ROPS 15-16A rental subsidy	\$15,900.00	

<b>City Main</b>			
<b>Check Totals:</b>		<b>Count: 66</b>	<b>Total: \$63,494.84</b>
<b>Eft Totals:</b>		<b>Count: 00</b>	
<b>Successor Agency</b>			
<b>Check Totals:</b>		<b>Count: 01</b>	<b>Total: \$15,900.00</b>
<b>Eft Totals:</b>		<b>Count: 00</b>	
<b>Grand Totals:</b>			
<b>Check Totals:</b>		<b>Count: 67</b>	<b>Total: \$79,394.84</b>
<b>Eft Totals:</b>		<b>Count: 00</b>	

Attachment: 8-21-15 City Check Register (1121 : Approval of City Check Register Reports)

Checks dated 8/28/15, numbered 81435 to 81531, plus 5 EFTs, plus 1 Successor Agency check numbered 5016, for a total disbursement of \$296,680.00, have been reviewed and authorized for distribution by the City Manager.

As of 8/28/2015 the unaudited cash balance is \$4,636,269.41.

CASH POSITION - CITY OF CAPITOLA 08/28/2015

	<u>Net Balance</u>
General Fund	\$1,187,103.05
Payroll Payables	\$106,102.76
Contingency Reserve Fund	1,803,945.66
PERS Contingency Fund	\$0.00
Facilities Reserve Fund	\$159,870.00
Capital Improvement Fund	\$724,386.03
Stores Fund	\$15,545.72
Information Technology Fund	\$130,466.04
Equipment Replacement	\$96,441.56
Self Insurance Liability Fund	(\$7,677.20)
Worker's Comp. Ins. Fund	\$221,856.79
Compensated Absences Fund	(\$8,869.50)
TOTAL UNASSIGNED GENERAL FUNDS	\$4,636,269.41

The Emergency Reserve Fund Balance is \$1,049,205.54 (not included above).

  
 \_\_\_\_\_  
 Jamie Goldstein, City Manager

8/28/2015  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Christine McBroom, City Treasurer

\_\_\_\_\_  
 Date

Attachment: 8-28-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81435	08/28/2015	Open			CESAR ANZALDO	\$50.00
	Licensee Type Business			Licensee Numbe 2322	Transaction Date 08/18/2015	Transaction Type Pre-Payment
81436	08/28/2015	Open			ALLSAFE LOCK COMPANY	\$7.58
	Invoice 47498		Date 08/18/2015	Description Keys		Amount \$7.58
81437	08/28/2015	Open			AMERICAN TRAFFIC SOLUTIONS, INC	\$51,073.22
	Invoice inv00020182		Date 07/31/2015	Description Jan-Jun 2015 redlight camera fee		Amount \$51,073.22
81438	08/28/2015	Open			APTOS LANDSCAPE SUPPLY INC.	\$294.44
	Invoice 402342 402696		Date 08/19/2015 08/25/2015	Description Wood chips Wood chips		Amount \$147.22 \$147.22
81439	08/28/2015	Open			AT&T	\$9.08
	Invoice 624-Aug2015 674-Jul2015		Date 08/01/2015 08/01/2015	Description monthly charges monthly charges		Amount \$4.62 \$4.46
81440	08/28/2015	Open			B & B SMALL ENGINE REPAIR	\$182.03
	Invoice 333874 333873		Date 08/24/2015 08/24/2015	Description Sthil blower repair #283754203 Sthil blower #2....0734		Amount \$54.27 \$127.76
81441	08/28/2015	Open			BANK OF AMERICA	\$16.00
	Invoice 08172015July2015		Date 08/17/2015	Description analysis charge July 2015		Amount \$16.00
81442	08/28/2015	Open			BIOBAG AMERICAS INC.	\$1,271.06
	Invoice 435977		Date 08/18/2015	Description Dog Waste bags		Amount \$1,271.06
81443	08/28/2015	Open			BRUCE INK	\$23.40
	Invoice 2016-00000176		Date 08/24/2015	Description Summer 2 Instructor Payments-last		Amount \$23.40
81444	08/28/2015	Open			CALIFORNIA COAST UNIFORM COMP,	\$90.10
	Invoice 4297 4353		Date 07/24/2015 08/18/2015	Description M. Gonzalez Mitchell		Amount \$65.14 \$24.96
81445	08/28/2015	Open			CALIFORNIA DISTRICT ATTORNEY	\$33.70
	Invoice 07282015		Date 07/28/2015	Description Asset Forfituree Case #14c-02727; 15-03-		Amount \$33.70
81446	08/28/2015	Open			CAPITOLA BEGONIA FESTIVAL	\$5,000.00
	Invoice 157		Date 08/24/2015	Description 2015 Begonia Festival		Amount \$5,000.00

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81447	08/28/2015 Invoice 2016-00000170	Open	Date 08/21/2015	Description POA DUES - POA Dues 1001 - Payroll Payables	CAPITOLA PEACE OFFICERS ASSOCI	\$1,501.50
81448	08/28/2015 Invoice 026844 004921A	Open	Date 06/30/2015 08/07/2015	Description 14/15 Lifeguard 15/16 Lifeguard contract	CITY OF SANTA CRUZ	\$68,500.00
81449	08/28/2015 Invoice 150805-0826a	Open	Date 08/19/2015	Description PA system fir twilight concert series Aug20	CLASSIFIED SOUND	\$2,200.00
81450	08/28/2015 Invoice 14663	Open	Date 07/31/2015	Description Janitorial Services less gym credit 1000 - General Fund 1311 - Wharf Fund	CLEAN BUILDING MAINTENANCE	\$3,719.13
81451	08/28/2015 Invoice 2194	Open	Date 07/06/2015	Description Meetings: county council x2, planning com	COMMUNITY TELEVISION OF SANTA C	\$600.00
81452	08/28/2015 Invoice 65982	Open	Date 08/24/2015	Description Mailing Services Early Fall	COMPLETE MAILING SERVICE INC	\$1,761.40
81453	08/28/2015 Invoice 07282015	Open	Date 07/28/2015	Description Asset Forfituree Case #14c-02727; 15-03-	COUNTY SPECIAL FUND/SCSO	\$505.53
81454	08/28/2015 Invoice D15-10493	Open	Date 08/13/2015	Description Junior badges	CREATIVE SERVICES OF NEW ENGLA	\$330.95
81455	08/28/2015 Invoice R215950	Open	Date 08/19/2015	Description custom bronze plaque	CRESTOR INC.	\$863.29
81456	08/28/2015 Invoice July2015stmnt	Open	Date 07/31/2015	Description Water cooler services	CRYSTAL SPRINGS WATER CO.	\$236.06
81457	08/28/2015 Invoice 46521146	Open	Date 08/15/2015	Description Financial Services July 2015 2211 - ISF - Information Technology	DE LAGE LANDEN FINANCIAL SERVIC	\$335.61

Attachment: 8-28-15 City Check Register (1121 : Approval of City Check Register Reports)

# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81458	08/28/2015	Open			eFolder Systems	\$125.00
	Invoice		Date	Description		Amount
	78381		07/31/2015	Monthly Usage Aug2015		\$125.00
				2211 - ISF - Information Technology		
81459	08/28/2015	Open			EMERGENCY VEHICLE SPECIALISTS	\$307.53
	Invoice		Date	Description		Amount
	4416		08/12/2015	gun lock for motor M51		\$100.00
	4390		08/04/2015	Fuse holder and installation of gun lock sys		\$207.53
81460	08/28/2015	Open			EWING IRRIGATION	\$287.79
	Invoice		Date	Description		Amount
	183419		08/11/2015	Carson box		\$293.15
	183401		08/11/2015	PURCHASE pvc parts, RETURN pvc union		(\$5.36)
81461	08/28/2015	Open			FLYERS ENERGY LLC	\$4,290.65
	Invoice		Date	Description		Amount
	15-120081		08/06/2015	100 gallon diesel		\$283.92
	15-120080		08/06/2015	611 gallons ethanol		\$2,210.65
	15-123439		08/14/2015	400 gallon ethanol		\$1,414.27
	15-123475		08/13/2015	135 gallons diesel		\$381.81
81462	08/28/2015	Open			FREDERIC CHARLEBOIS	\$213.20
	Invoice		Date	Description		Amount
	2016-00000175		08/24/2015	Summer 2 Instructor Payments-last		\$213.20
81463	08/28/2015	Open			GEORGE H WILSON INC	\$1,864.00
	Invoice		Date	Description		Amount
	11058		08/19/2015	Bathroom fans		\$1,864.00
				1311 - Wharf Fund		
81464	08/28/2015	Open			GRANITE ROCK COMPANY	\$371.07
	Invoice		Date	Description		Amount
	909570		08/15/2015	Concrete tools		\$164.06
	909699		08/15/2015	Drinking fountain		\$192.10
	910523		08/15/2015	Concrete tools		\$54.11
	909277		08/15/2015	PURCHASE california gold, RETURN Mt A		(\$39.20)
81465	08/28/2015	Open			HdL Coren & Cone	\$595.00
	Invoice		Date	Description		Amount
	21848-IN		08/20/2015	2015 CAFR Statistical Report Package		\$595.00
81466	08/28/2015	Open			ICMA RETIREMENT TRUST 457	\$5,485.01
	Invoice		Date	Description		Amount
	ICMA457ppe8-15		08/21/2015	ICMA457 contributions Pay Period Ending		\$5,485.01
				1001 - Payroll Payables		
81467	08/28/2015	Open			JaVelco Equipment Service, Inc.	\$36.91
	Invoice		Date	Description		Amount
	49646		08/20/2015	Parts		\$36.91

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81468	08/28/2015	Open			JOHANNA WEINSTEIN	\$358.80
	Invoice		Date	Description		Amount
	2016-00000177		08/24/2015	Summer 2 Instructor Payments-last		\$358.80
81469	08/28/2015	Open			KBA Docusys Inc.	\$222.51
	Invoice		Date	Description		Amount
	INV358436		08/03/2015	Contract base rate plus supply shipping		\$33.43
	INV360222		08/07/2015	8/1-10/31 base rate plus supply shipping		\$105.60
	INV361821		08/12/2015	Contract base rate 8/16 - 11/15		\$83.48
				1000 - General Fund		
				2211 - ISF - Information Technology		
81470	08/28/2015	Open			KIMLEY-HORN AND ASSOCIATES INC	\$19,771.36
	Invoice		Date	Description		Amount
	6946171		07/31/2015	Services Rendered through 7/31/15		\$6,142.00
	6888754		07/31/2015	Enhanced Bike Lane @ Highway 1 Crossir		\$9,767.00
	6970018		07/31/2015	Pacific Cove Rail Trail Phase I		\$3,862.36
				1200 - Capital Improvement Fund		
81471	08/28/2015	Open			KING'S CLEANERS	\$473.50
	Invoice		Date	Description		Amount
	8-18-15		08/18/2015	July 2015		\$473.50
81472	08/28/2015	Open			KINGS PAINT AND PAPER INC.	\$93.80
	Invoice		Date	Description		Amount
	A0222786		08/19/2015	Paint rig repair		\$93.80
81473	08/28/2015	Open			LABORMAX STAFFING	\$1,923.00
	Invoice		Date	Description		Amount
	26-51318		08/21/2015	8/10-8/14 contract labor		\$1,923.00
81474	08/28/2015	Open			LAS ANIMAS CONCRETE	\$657.70
	Invoice		Date	Description		Amount
	112264		08/11/2015	Sidewalk repair		\$657.70
81475	08/28/2015	Open			LESLIE FELLOWS	\$300.00
	Invoice		Date	Description		Amount
	08172015		08/17/2015	Art/Music at the beach - Aug 16th - Progra		\$300.00
81476	08/28/2015	Open			LORRAINE KINNAMON	\$46.80
	Invoice		Date	Description		Amount
	2016-00000173		08/24/2015	Summer 2 Instructor Payments-last		\$46.80
81477	08/28/2015	Open			MAR-KEN K-9 TRAINING CENTER	\$480.00
	Invoice		Date	Description		Amount
	0314-15		08/17/2015	Aug 2015 dog training		\$480.00
81478	08/28/2015	Open			MARC KRAFT	\$114.40
	Invoice		Date	Description		Amount
	2016-00000180		08/24/2015	Summer 2 Instructor Payments-last		\$114.40

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81479	08/28/2015	Open			MASTER CAR WASH	\$105.01
	Invoice		Date	Description		Amount
	July2015mcw		08/15/2015	July 2015 pd		\$105.01
81480	08/28/2015	Open			MICHAEL ARNONE	\$8,818.75
	Invoice		Date	Description		Amount
	2015-3		07/07/2015	Rispin Park Plan Development 1200 - Capital Improvement Fund		\$8,818.75
81481	08/28/2015	Open			O'REILLY AUTO PARTS	\$27.19
	Invoice		Date	Description		Amount
	2763134830		08/17/2015	defect warranty x2		\$27.19
81482	08/28/2015	Open			PACIFIC GAS & ELECTRIC	\$15,721.59
	Invoice		Date	Description		Amount
	aug2015acct9		08/24/2015	Monthly Elec		\$15,165.95
	Aug2015acct5		08/24/2015	Parking Lot Elec/gas		\$555.64
				1000 - General Fund	\$5,489.06	
				1300 - SLESF - Supplemental Law	\$152.25	
				1310 - Gas Tax Fund	\$7,381.66	
				1311 - Wharf Fund	\$2,698.62	
81483	08/28/2015	Open			PALACE OFFICE SUPPLIES	\$783.81
	Invoice		Date	Description		Amount
	327064		07/24/2015	Office supplies		\$154.13
	330511		08/17/2015	office supplies		\$124.58
	330617-0		08/17/2015	Tape remover, 6pk notebook		\$20.59
	330464-0		08/17/2015	Ergo Microsoft Keyboard		\$118.53
	329912-0		08/13/2015	Copyholder		\$48.93
	9177588-0		08/18/2015	Office supplies		\$18.55
	328525-0		08/05/2015	Inkjet cartridge, spoon, picture frame		\$93.89
	329033-0		08/07/2015	building permit envelopes		\$177.74
	9179879-0		08/25/2015	Envelopes		\$5.17
	332083-0		08/25/2015	Paper x2, staples		\$21.70
				1000 - General Fund	\$302.43	
				2210 - ISF - Stores Fund	\$481.38	
81484	08/28/2015	Open			PHOENIX GROUP INFORMATION SYS'	\$2,739.49
	Invoice		Date	Description		Amount
	072015070		08/12/2015	July 2015 citations		\$2,739.49
81485	08/28/2015	Open			PITNEY BOWES INC.	\$226.62
	Invoice		Date	Description		Amount
	Aug162015		08/19/2015	Postage Supplies		\$79.80
	535504		08/16/2015	rental period 9/16-12/15		\$146.82
81486	08/28/2015	Open			PRAXAIR DISTRIBUTION INC.	\$113.25
	Invoice		Date	Description		Amount
	53205518		07/20/2015	corp yard gases		\$113.25

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81487	08/28/2015	Open			QUENVOLD'S SAFETY SHOEMOBILES	\$164.92
	Invoice		Date	Description	Amount	
	56201		08/18/2015	Shoes for Andrew Watts	\$164.92	
81505	08/28/2015	Open			SAN LORENZO LUMBER	\$34.58
	Invoice		Date	Description	Amount	
	56-0040290		07/17/2015	Plants	\$7.81	
	55-0065484		07/21/2015	Misc.	\$26.77	
81506	08/28/2015	Open			SANTA CRUZ COUNTY DISTRICT ATT	\$388.02
	Invoice		Date	Description	Amount	
	07282015		07/28/2015	Asset Forfituree Case #14c-02727; 15-03-	\$337.02	
	07282015pubcosts		07/28/2015	Asset Forfituree Case #14c-02727; 15-03-	\$51.00	
81507	08/28/2015	Open			SANTA CRUZ COUNTY SHERIFF	\$4,182.31
	Invoice		Date	Description	Amount	
	June2015		07/06/2015	June 2015 Jail access fees	\$4,182.31	
81508	08/28/2015	Open			SANTA CRUZ COUNTY SHERIFF	\$4,942.73
	Invoice		Date	Description	Amount	
	May2015		06/02/2015	May 2015 Jail access fee	\$4,942.73	
81509	08/28/2015	Open			SANTA CRUZ OCCUPATIONAL MEDIC	\$209.00
	Invoice		Date	Description	Amount	
	I-14057		07/31/2015	Pre employment exam Herlihy	\$209.00	
81510	08/28/2015	Open			SANTA CRUZ SENTINEL	\$175.16
	Invoice		Date	Description	Amount	
	55553262		08/17/2015	notice of public hearing/planning commissi	\$175.16	
81511	08/28/2015	Open			SESE EGAN GEDDES	\$62.40
	Invoice		Date	Description	Amount	
	2016-00000178		08/24/2015	Summer 2 Instructor Payments-last	\$62.40	
81512	08/28/2015	Open			SPECTRUM BUSINESS	\$2,365.07
	Invoice		Date	Description	Amount	
	July2015stmt		08/19/2015	monthly charges and fees	\$2,365.07	
				1000 - General Fund	\$1,006.40	
				2211 - ISF - Information Technology	\$1,358.67	
81513	08/28/2015	Open			SPORT ABOUT	\$258.18
	Invoice		Date	Description	Amount	
	6944		08/12/2015	Softball League t-shirt awards	\$258.18	
81514	08/28/2015	Open			State of California State Treasurer/Cash	\$808.85
	Invoice		Date	Description	Amount	
	07282015		07/28/2015	Asset Forfeiture Case # 14c-02727;15-03-	\$808.85	

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81515	08/28/2015	Open			UNITED PARCEL SERVICE	\$24.42
	Invoice		Date	Description		Amount
	0000954791335		08/15/2015	shipping		\$23.23
	0000954791345		08/22/2015	Shipping		\$1.19
81516	08/28/2015	Open			UNITED STATES POSTAL SERVICE	\$5,100.00
	Invoice		Date	Description		Amount
	6754		08/24/2015	Late Fall brochure mailing		\$5,100.00
81517	08/28/2015	Open			US BANCORP EQUIPMENT FINANCE I	\$519.78
	Invoice		Date	Description		Amount
	284381092		08/04/2015	Contract payment - equipment		\$519.78
				1000 - General Fund	\$358.82	
				2211 - ISF - Information Technology	\$160.96	
81518	08/28/2015	Open			US BANK PARS	\$2,766.49
	Invoice		Date	Description		Amount
	PARSppe8-15-15		08/21/2015	PARS contributions - Pay Period Ending 8.		\$2,766.49
				1001 - Payroll Payables		
81519	08/28/2015	Open			VMI INC.	\$5,278.88
	Invoice		Date	Description		Amount
	234518		07/30/2015	projector, 87" screen		\$3,028.69
	234526		07/30/2015	hdmi input plate, wall plate w/ usb, connec		\$2,250.19
				1320 - PEG - Public Education and Govt		
81520	08/28/2015	Open			WENDY NOLAN	\$15.60
	Invoice		Date	Description		Amount
	2016-00000174		08/24/2015	Summer 2 Instructor Payments-last		\$15.60
81521	08/28/2015	Open			ZEE MEDICAL SERVICE CO.	\$138.42
	Invoice		Date	Description		Amount
	66431586		08/06/2015	First Aid supplies		\$73.01
	66431588		08/06/2015	first aid supplies		\$65.41
81522	08/28/2015	Open			ZIMMERMAN, CINDY	\$390.00
	Invoice		Date	Description		Amount
	2016-00000179		08/24/2015	Summer 2 Instructor Payments-last		\$390.00
81523	08/28/2015	Open			Guillermo Vazquez	\$94.56
	Invoice		Date	Description		Amount
	2016-00000187		08/15/2015	Safety Equipment		\$94.56
81524	08/28/2015	Open			Benedict, Harold	\$72.00
	Invoice		Date	Description		Amount
	2016-00000158		08/14/2015	refund cite 14140606		\$72.00
81525	08/28/2015	Open			Bruce Voeltz	\$33.00
	Invoice		Date	Description		Amount
	2016-00000157		08/14/2015	Refund133126052		\$33.00

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
81526	08/28/2015	Open			Chloe or Joseph Clarke	\$76.00
	Invoice		Date	Description		Amount
	2016-00000161		08/14/2015	refund cite 133127926		\$76.00
81527	08/28/2015	Open			Courtney Ann Christiansen	\$96.00
	Invoice		Date	Description		Amount
	2016-00000162		08/14/2015	refund cite 12137043		\$96.00
81528	08/28/2015	Open			Folsom Lake Ford	\$27,736.61
	Invoice		Date	Description		Amount
	2016-00000163		08/05/2015	2016 Explorer for PD 2212 - ISF - Equipment Replacement		\$27,736.61
81529	08/28/2015	Open			Gail M Goodhue	\$36.00
	Invoice		Date	Description		Amount
	2016-00000160		08/14/2015	refund cite 133126868		\$36.00
81530	08/28/2015	Open			Jordan Stephen Kincaide,	\$36.00
	Invoice		Date	Description		Amount
	2016-00000159		08/07/2015	refund cite 166123617		\$36.00
81531	08/28/2015	Open			Mathew Kotila	\$185.88
	Invoice		Date	Description		Amount
	2446		08/19/2015	reimbursement ground cover and stain		\$185.88
<b>Type Check Totals:</b>						<b>\$261,348.68</b>
<u>EFT</u>						
155	08/25/2015	Open			DISCOVERY BENEFITS	\$135.00
	Invoice		Date	Description		Amount
	564016-IN		07/31/2015	July 2015 - Cobra and FSA monthly fees		\$135.00
157	08/24/2015	Open			STATE DISBURSEMENT UNIT	\$968.43
	Invoice		Date	Description		Amount
	QX8HUDL6657		08/24/2015	Garnishments ppe 8-15-15 1001 - Payroll Payables		\$968.43
158	08/24/2015	Open			EMPLOYMENT DEVELOPMENT DEPT	\$7,166.95
	Invoice		Date	Description		Amount
	2016-00000181		08/24/2015	Personnel Expenses and Benefits 1001 - Payroll Payables		\$7,166.95
159	08/24/2015	Open			INTERNAL REVENUE SERVICE	\$26,160.94
	Invoice		Date	Description		Amount
	270563794813781		08/24/2015	Personel Expenses and Benefits - Federal 1001 - Payroll Payables		\$26,160.94
<b>Type EFT Totals:</b>						<b>\$34,431.32</b>

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
SA - Successor Agency						
<u>Check</u>						
5016	08/28/2015	Open			CASTLE MOBILE ESTATES	\$900.00
	Invoice	Date	Description	Amount		
	2016-00000182	08/26/2015	Rental Subsidy 7/1-12/31/15	\$900.00		
			5501 - SA - RPTTF			
Type Check Totals:						\$900.00

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# City Checks Issued 08/28/2015

Check#	Invoice#	Status	Invoice Date	Description	Payee Name	Transaction Amount
<b>CITY - Main City Totals</b>						
Checks:			Count: 80			Total: \$261,348.68
EFTs:			Count: 04			Total: \$34,431.32
<b>SA - Successor Agency Totals</b>						
Checks:			Count: 01			Total: \$900.00
<b>Grand Totals</b>						
Checks:			Count: 81			Total: \$262,248.68
EFTs:			Count: 04			Total: \$34,431.32
All:			Count: 85			Total: \$296,680.00

Attachment: 8-28-15 City Check Register (1121 : Approval of City Check Register Reports)



# CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: City Manager Department

SUBJECT: Consider an Ordinance Amending Section 8.38.060 of the Capitola Municipal Code Pertaining to Prohibitions of Smoking In Outdoor Public Places [Second Reading]

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RECOMMENDED ACTION: Adopt Ordinance.

BACKGROUND: The draft Ordinance amending the Capitola Municipal Code, Section 8.38.060 (Prohibitions of smoking in outdoor public places) to expand the outdoor public places where smoking is prohibited.

Report Prepared By: Susan Sneddon  
City Clerk

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

9/18/2015



DRAFT ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
AMENDING CHAPTER 8.38.060, TO EXPAND THE BOUNDARIES OF THE PROHIBITED  
SMOKING AREAS IN OUTDOOR PLACES IN THE VILLAGE TO: “ANY PORTION OF  
STOCKTON AVENUE RIGHT-OF-WAY BETWEEN WHARF ROAD AND CAPITOLA  
AVENUE; ANY PORTION OF MONTEREY AVENUE RIGHT-OF-WAY SOUTH OF CAPITOLA  
AVENUE; ANY PORTION OF SAN JOSE AVENUE RIGHT-OF-WAY BETWEEN  
ESPLANADE AND CAPITOLA AVENUE; ANY PORTION OF LAWN WAY RIGHT-OF WAY;  
AND ANY PORTION OF CAPITOLA AVENUE RIGHT-OF-WAY BETWEEN STOCKTON  
AVENUE AND MONTEREY AVENUE”**

BE IT ORDAINED BY THE CITY OF CAPITOLA OF THE CITY OF CAPITOLA AS  
FOLLOWS:

“Section 8.38.060”

PROHIBITIONS OF SMOKING IN OUTDOOR PUBLIC PLACES

**Section 1.** 8.38.060 is hereby amended to read as follows:

**8.38.060 Prohibition of smoking in outdoor public places.**

A. Capitola Beach;

~~B. Any portion of the Esplanade right-of-way;~~

~~C. Any portion of the Stockton Avenue right-of-way between Wharf Road and the Esplanade;~~

~~D. Any portion of Monterey Avenue south of Lawn Way;~~

~~C. Any portion of Stockton Avenue right-of-way between Wharf Road and Capitola Avenue;~~

~~D. Any portion of Monterey Avenue right-of-way south of Capitola Avenue;~~

~~E. Any portion of San Jose Avenue right-of-way between Esplanade and Capitola Avenue;~~

~~F. Any portion of Lawn Way right-of way;~~

~~G. Any portion of Capitola Avenue right-of-way between Stockton Avenue and Monterey Avenue;~~

~~H.E. Esplanade Park;~~

~~I.F. Capitola Wharf;~~

~~J.G. Jade Street Park;~~

~~K.H. Library property at 2005 Wharf Road;~~

~~L.I. Rispin Mansion property;~~

~~M.J. Peery Park;~~

~~N.K. Soquel Creek Park;~~

~~O.L. Public parcel located north of Stockton Bridge at 101 Stockton Avenue;~~

~~P.M. City Hall property;~~

~~Q.N. Noble Gulch Park;~~

~~R.O. Monterey Park;~~

~~S.P. Cortez Park;~~

~~T.Q. McGregor Park;~~

~~U.R. Public events that are open to the general public regardless of any fee or age requirement to include farmer’s markets, theater plays and permitted public events. (Ord. 1000 § 1 (part), 2015; Ord. 980 § 3, 2013; Ord. 943 § 3, 2009. Formerly 8.38.055)~~

**Section 2.** This Ordinance shall take effect and be in full force on \_\_\_\_\_.

Smoking Ordinance Amendment Second Reading  
September 24, 2015

This Ordinance was introduced on the 10<sup>th</sup> day of September, 2015, and was passed and adopted by the City Council of the City of Capitola on the \_\_\_ day of \_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_  
Dennis Norton, Mayor

ATTEST:

\_\_\_\_\_, CMC  
Susan Sneddon, City Clerk



## CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: Public Works Department

SUBJECT: Consider a Resolution approving the Program Supplement Agreement with CalTrans for State Funded Projects

**RECOMMENDED ACTION:** Adopt the proposed Resolution approving the Program Supplement Agreement No. 0N81 Rev. 000, Administering Agency-State Master Agreement No. 00245S for Project Number RPL-5304(010), and authorizing the City Manager to sign the Program Supplement Agreement and any other documents related to administering the Agency-State Agreement for Federal-Aid Projects on behalf of the City.

**BACKGROUND:** In order to receive Federal Transportation Funding, Program Supplemental Agreements need to be executed for each project with the California Department of Transportation (Caltrans) and the City. The proposed Resolution approves agreements for the roundabout project at Capitola Avenue and Bay Avenue, and authorizes the City Manger to sign all agreements and other related documents on behalf of the City.

**DISCUSSION:** The same agreement is used with all city and county jurisdictions in the State and changes to the language in the agreement are not permitted.

**FISCAL IMPACT:** Approval of the agreement has no fiscal impact on the City General Fund.

**ATTACHMENTS:**

1. CalTrans Program Supplement Agreement (PDF)

Report Prepared By: Danielle Uharriet  
Environmental Projects Manager

Jamie Goldstein, City Manager

9/18/2015

**DRAFT**  
**RESOLUTION NO. \_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
APPROVING PROGRAM SUPPLEMENT AGREEMENT NO.0N81 REV.000 TO  
ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 00245S FOR PROJECT  
NUMBER RPL-5304(010) BETWEEN THE STATE OF CALIFORNIA TRANSPORTATION  
DEPARTMENT AND THE CITY OF CAPITOLA AND AUTHORIZING THE CITY MANAGER  
TO EXECUTE THIS AGREEMENT**

**WHEREAS**, the City of Capitola is eligible to receive Federal funding for transportation projects, through the California Department of Transportation; and

**WHEREAS**, the Program Supplemental Agreement needs to be executed with the California Department of Transportation before such funds could be claimed; and

**WHEREAS**, the City wishes to authorize the City Manager to execute this agreement, Program Supplemental Agreements No. 0N81 Rev.000 to Administering Agency-State Master Agreement No. 00245S with California Department of Transportation, and any amendments thereto; and

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that said Program Supplemental Agreement No. 0N81 Rev.000 to Administering Agency-State Master Agreement No. 00245S is now approved.

**BE IT FURTHER RESOLVED AND ORDERED** that the City Manager is hereby authorized to sign Program Supplemental Agreement No. 0N81 Rev.000 on behalf of the City and is directed to return the original and duplicate original of Program Supplemental Agreement No. 0N81 Rev.000, together with one certified copy of this resolution, to the State of California Department of Transportation for further processing.

**BE IT FURTHER RESOLVED AND ORDERED** that the City Manager is hereby authorized to execute all Program Supplemental Agreements under Administering Agency-State Master Agreement No. 00245S with California Department of Transportation, and any amendments thereto.

**I HEREBY CERTIFY** that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 24<sup>th</sup> day of September, 2015, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Dennis Norton, Mayor

ATTEST:

\_\_\_\_\_, CMC

CalTrans Program Supplement Agreement  
September 24, 2015

Susan Sneddon, City Clerk





**SPECIAL COVENANTS OR REMARKS**

- 1. This PROJECT is programmed to receive funding from the State Transportation Improvement Program (STIP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. The start of reimbursable expenditures is restricted to the later of either 1) the effective date of the Master Agreement, 2) the effective date of the PROGRAM SUPPLEMENT, or 3) the effective date of the component specific allocation.

- 2. STATE and ADMINISTERING AGENCY agree that additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE approved Allocation Letter and Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.
- 3. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. An approved time extension will revise the timely use of funds criteria, outlined above, for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof.

Documentation for approved supplementary allocations, time extensions, and fund transfers between components will be a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

- 4. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits, plans specifications & estimate, and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion to make the final payment to the contractor and prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.
- 5. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
- 6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer immediately after the award. Failure to do so will cause delay in processing the invoices for the construction component. As a minimum, the award



**SPECIAL COVENANTS OR REMARKS**

information should have the following: Project number, project description, PPNO, date the project was advertised, award amount, bid opening date, award date and estimated completion date.

- 7. This PROJECT is subject to the timely use of funds provisions enacted by Senate Bill 45 (SB 45), approved in 1997, and subsequent CTC guidelines and State procedures approved by the CTC and STATE, as outlined below:

Funds allocated for the environmental & permits, plan specifications & estimate, and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and complete the construction or vehicle purchase contract within 36 months of award.

- 8. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

- 9. This PROJECT is programmed to receive State Proposition 1B Bond funds from the Trade Corridors Improvement Fund (TCIF). This PROJECT will be administered in accordance with the California Transportation Commission (CTC) - approved TCIF Guidelines, PROJECT-specific Baseline Agreement, and this Program Supplement Agreement (PSA). ADMINISTERING AGENCY agrees the PROJECT-specific Baseline Agreement (attached) and any amendments thereto are hereby made part of this PSA.

To satisfy the accountability requirements of the Governor's Executive Order # S-02-07,

SPECIAL COVENANTS OR REMARKS

the ADMINISTERING AGENCY agrees to:

1) Submit Quarterly Progress Reports on the status and progress made toward implementation of the PROJECT including project development activities prior to the TCIF allocation and the commitment status of non-TCIF funds identified in the Baseline Agreement. The report shall include the actual and forecasted schedules, approved budget, actual expenditures and forecasted costs for each funding source and phase of work identified in the Baseline Agreement. The Quarterly Progress Reports shall be submitted to the Division of Local Assistance - Office of Bond Implementation via the Local Assistance Online Data Input System (LA-ODIS).

2) Submit a Corrective Plan in the event that variances from the PROJECT-specific Baseline Agreement occur in the scope, costs, schedule, or benefits during the project implementation process. The Corrective Plan shall provide the reason(s) for the variance(s) and the corrective or preventive actions to be taken to correct, avoid, or mitigate current and future impacts and risks. The CTC may either approve the corrective plan or direct the ADMINISTERING AGENCY to modify its plan. A Corrective Plan shall be submitted concurrently with the Quarterly Progress Reports to the Caltrans Proposition 1B Program Manager with a copy to the Division of Local Assistance - Chief, Office of Bond Implementation.

3) Submit a Final Delivery Report to the CTC, within six (6) months of the project becoming operable, on the scope of the completed project, final costs, duration, and performance outcomes as compared to those indicated in the PROJECT Baseline Agreement. The ADMINISTERING AGENCY shall also provide a Supplement to the Final Delivery Report at the conclusion of all project activities (i.e., project completion) to reflect project expenditures (if different from the Final Delivery Report). The Final Delivery Report and Supplement shall be submitted to the Division of Local Assistance - Chief, Office of Bond Implementation.

The submittal of invoices for project costs shall be in accordance with the Local Assistance Procedures Manual (LAPM). The ADMINISTERING AGENCY has 180 days after project completion, to make final payment to the contractor, prepare the final invoice and final Report of Expenditures, and submit to the STATE for verification and payment.

10. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Notwithstanding the foregoing, ADMINISTERING AGENCY shall not be required to comply with 49 CFR, Part 18.36 (i), subsections (3), (4), (5), (6), (8), (9), (12) and (13).

Attachment: CalTrans Program Supplement Agreement (1164 : CalTrans Program Supplement Agreement)



# CITY COUNCIL AGENDA REPORT

MEETING OF SEPTEMBER 24, 2015

FROM: City Manager Department

SUBJECT: Consider a Resolution Amending the City's Bail Schedule to Add a New Fine

**RECOMMENDED ACTION:** Adopt the proposed Resolution repealing Resolution No. 3998 and amending the City of Capitola Bail Schedule, and direct staff to forward the new schedule to the Santa Cruz County Court.

**BACKGROUND:** Annual review and update of the Capitola Bail Schedule is necessary to incorporate Ordinances applicable in keeping the schedule current and clearly defined for the Santa Cruz County Court database, and for the City's Police Department in processing citations of Municipal Code offenders.

**DISCUSSION:** Below is newly adopted Ordinance No.1000 regarding the City's Municipal Code Chapter 8.38 Smoking Regulations that needs to be added to the Schedule. This Ordinance can be viewed online at <http://www.codepublishing.com/ca/capitola>. The City Attorney and Chief of Police have recommended the proposed bail indicated in red.

1. Ordinance No. 1000  
8.38.120 Buying tobacco or e-cigarettes for anyone under 18. \$200.00

**FISCAL IMPACT:** The fiscal impact for the new violations is unknown at this time.

**ATTACHMENTS:**

1. Bail Schedule 2015 Exhibit A (PDF)

Report Prepared By: Michele Deiter  
Records Coordinator

Jamie Goldstein, City Manager

9/17/2015

Bail Schedule  
September 24, 2015

Bail Schedule  
September 24, 2015

## DRAFT

RESOLUTION NO. \_\_\_\_\_

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA REPEALING RESOLUTION NO. 3998 AND ADOPTING A NEW BAIL SCHEDULE FOR THE CITY OF CAPITOLA

**WHEREAS**, the City Council of the City of Capitola adopted Resolution No. 3998 amending the City's Bail Schedule on August 14, 2014; and

**WHEREAS**, the City Council has adopted Ordinances which require inclusion of fines and changes to existing fines from its last adoption of the City's Bail Schedule in 2014; and

**WHEREAS**, the City of Capitola determines the fines for violating the Capitola Municipal Code; and

**WHEREAS**, staff has conducted a thorough review of the City's Bail Schedule and has determined and recommends City Council approval of the proposed additions and corrections presented to the City Council at its meeting of September 24, 2015.

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

1. Resolution No. 3998 is hereby repealed in its entirety.
2. The City of Capitola Bail Schedule, attached hereto as Exhibit A, is hereby approved.

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 24<sup>th</sup> day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Dennis Norton, Mayor

ATTEST:

\_\_\_\_\_, CMC  
Susan Sneddon, City Clerk

# DRAFT RESOLUTION NO.

## EXHIBIT A CITY OF CAPITOLA BAIL SCHEDULE 2015

<u>Code Section</u>	<u>Violation Description</u>	<u>Base Bail</u>
1.40.020	CAMPAIGN CONTRIBUTION LIMITATIONS VIOLATION	\$ 250.00
3.34.040	FAILURE BY MOBILEHOME PARK OWNER TO SUBMIT RESIDENT LIST	\$ 50.00
4.04.010	VIOLATION OR FAILURE TO COMPLY WITH CODE PROVISIONS:	\$ 1,000.00
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
5.06.030	PEDDLING OR SOLICITING WITHOUT A BUSINESS LICENSE IS PROHIBITED	\$ 75.00
5.06.040	PEDDLING, SOLICITING, OR CANVASSING UPON PREMISES WHERE "NO SOLICITORS" ARE INDICATED IS PROHIBITED	\$ 75.00
5.06.050	PEDDLING, SOLICITING, OR CANVASSING OUTSIDE OF DESIGNATED HOURS ARE PROHIBITED	\$ 75.00
5.08.230A	VALID TAXICAB OWNER'S PERMIT REQUIRED	\$ 40.00
5.08.230B	VALID TAXICAB OWNER'S DRIVER'S PERMIT REQUIRED	\$ 40.00
5.14.040	FAILURE TO REGISTER SECURITY ALARM SYSTEM	\$ 100.00
5.14.090	FALSE ALARM FINES:	
	THREE (3) OR FOUR (4) FALSE ALARMS IN ANY CALENDAR YR	\$ 100.00
	FIVE (5) FALSE ALARMS IN ANY CALENDAR YEAR	\$ 150.00
	SIX (6) OR MORE FALSE ALARMS IN ANY CALENDAR YEAR	\$ 200.00
5.24.020	ENTERTAINMENT PERMIT REQUIRED	\$ 110.00
5.24.090	ENTERTAINMENT PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 110.00
5.32.030	FIREARMS LICENSE REQUIRED	\$ 500.00
5.40.020	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE PROHIBITED	\$ 75.00
5.40.030	VENDING MACHINE SALES OF TOBACCO PRODUCTS ARE ALLOWED ONLY IF MACHINES ARE TOKEN OPERATED	\$ 250.00
5.40.040	VENDOR-ASSISTED SALE OF TOBACCO PRODUCTS IS REQUIRED	\$ 250.00
6.08.020	INTERFERENCE WITH POUNDMASTER	\$ 100.00
6.08.120	FAILURE OR REFUSAL TO STATE TRUE NAME/EVIDENCE OF RABIES VACCINATION/LICENSE	\$ 50.00
6.12.030	VICIOUS/DANGEROUS ANIMALS	\$ 50.00
6.14.010	DOG LICENSE REQUIRED	\$ 30.00
6.14.020	DISPLAY DOG LICENSE REQUIRED	\$ 25.00
6.14.040	VACCINATION REQUIRED	\$ 40.00
6.14.130	NUMBER OF FEMALE DOG KEPT IN ONE PLACE	\$ 20.00
6.14.200	DOGS IN PUBLIC PLACES - PROHIBITED LOCATIONS	\$ 40.00
6.14.215	FAILURE OF OWNER TO PICK UP AFTER DOG DEFECATING	\$ 25.00
6.14.380	ANIMALS DOGS DEFECATING IN PUBLIC PROHIBITED	\$ 30.00
6.14.310	DOGS AT LARGE PROHIBITED	\$ 35.00
6.14.320	LEASH REQUIRED FOR DOGS OFF PREMISES	\$ 30.00
6.14.330	SAFETY OF ANIMALS IN MOTOR VEHICLES REQUIRED	\$ 60.00

6.14.340	SAFETY OF ANIMALS IN PARKED VEHICLES REQUIRED	\$ 60.00
6.14.380	ANIMALS DEFECATING ON PUBLIC/PRIVATE PROPERTY PROHIBITED	\$ 30.00
6.14.390	ANIMAL NOISE NUISANCE	\$ 30.00
6.14.400	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.410	DOMESTICATED ANIMAL KILLING OR INJURING OTHER DOMESTICATED ANIMALS	\$ 100.00
6.14.420	PROHIBITION OF LIVESTOCK OR WILD ANIMALS TO BE AT LARGE	\$ 30.00
6.14.430	PROHIBITION AGAINST DOGS THREATENING OR INJURING WILD GAME OR LIVESTOCK	\$ 100.00
6.14.440	DOGS THREATENING OR INJURING PERSONS PROHIBITED	\$ 100.00
6.14.445	POSSESSION OF WILD ANIMAL SPECIES PROHIBITED	\$ 110.00
6.14.455	USE OF STEEL-JAWED LEG-HOLD TRAPS PROHIBITED	\$ 110.00
6.14.590	DUTY TO REPORT ANIMAL BITES REQUIRED	\$ 50.00
6.16.030	MANDATORY SPAYING/NEUTERING	\$ 110.00
6.16.040	CARE OF FERAL CATS PROHIBITED WITHOUT SIGNED STATEMENT	\$ 50.00
6.18.060	PERMIT FOR WILD ANIMALS REQUIRED	\$ 110.00
6.18.070	KEEPING DISEASED ANIMALS PROHIBITED	\$ 50.00
6.18.100	PLACEMENT OF DEAD ANIMALS IN PUBLIC PLACES PROHIBITED	\$ 20.00
6.18.120	WILLFUL INJURY TO WILDLIFE PROHIBITED	\$ 30.00
6.20.020	FEEDING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 60.00
6.20.030	SELLING WATERFOWL/PIGEONS PROHIBITED	\$ 60.00
6.20.040	RELEASING WATERFOWL/PIGEONS IN RESTRICTED AREA PROHIBITED	\$ 30.00
6.24.010	FEEDING WILD RODENTS AND VERMIN PROHIBITED	\$ 30.00
8.04.020	ACCUMULATION OF REFUSE - PUBLIC/PRIVATE PROPERTY	\$ 30.00
8.04.040	ACCUMULATION OF COMMERCIAL GARBAGE	\$ 100.00
8.04.050	PLACE, DEPOSIT, KEEP, BURY ANY GARBAGE ON, IN, OR UNDER ANY PREMISES	\$ 100.00
8.04.060	ACCUMULATION OF GARBAGE IN PUBLIC	\$ 50.00
8.04.070	GARBAGE CONTAINERS OUT OF PUBLIC VIEW ON NON-COLLECTION DAYS	\$ 50.00
8.04.068	MANDATORY GARBAGE SERVICE	\$ 50.00
8.04.080	HAULING OF TRASH BY ANY PERSON, FIRM, OR CORPORATION BESIDES THOSE DESIGNATED BY THE CITY TO BE EXCEPTIONS IS PROHIBITED.	\$ 250.00
8.04.120	UNAUTHORIZED USE OF DUMPSTER	\$ 100.00
8.06.035	RECYCLING REQUIRED	\$ 50.00
8.06.050	RECYCLABLE WASTE MATERIAL - UNAUTHORIZED COLLECTION	\$ 50.00
8.07.070	REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS	
	1ST OFFENSE (30 days or more after first warning)	\$ 100.00
	2ND OFFENSE (60 days or more after first warning)	\$ 200.00
	3RD OFFENSE (90 days or more after first warning)	\$ 500.00
8.20.010	POWER BOATS PROHIBITED ON SOQUEL CREEK	\$ 100.00
8.24.290	WATER WELL VIOLATION	\$ 100.00

8.36.030	PROHIBITED FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.035	PROHIBITED RETAIL SALES OF POLYSTYRENE FOAM PRODUCTS:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.36.040	REQUIRED BIODEGRADABLE AND COMPOSTABLE DISPOSABLE FOOD SERVICE WARE:	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD/FUTURE OFFENSE	\$ 300.00
8.38.050	PROHIBITION OF SMOKING IN INDOOR PUBLIC PLACES	\$ 30.00
8.38.055	PROHIBITION OF SMOKING IN OUTDOOR PUBLIC PLACES	\$ 30.00
8.38.110	BUSINESSES' POSTINGS OF SIGNS THAT SELL TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.112	REGULATING THE SALE OF TOBACCO PRODUCTS REQUIRED	\$ 50.00
8.38.120	BUYING TOBACCO OR E-CIGARETTES FOR ANYONE UNDER 18	\$ 200.00
8.38.130A	OWNER/MANAGER FAILURE TO COMPLY WITH SMOKING PROVISIONS	\$ 50.00
8.38.130B	SMOKING IN AREA WHERE SMOKING PROHIBITED	\$ 30.00
8.46.030	BOAT MOORING	\$ 60.00
8.60.020	GRAFFITI PROHIBITED	\$ 500.00
8.60.050	DISPLAYING AEROSOL SPRAY PAINT CONTAINERS AND MARKER PENS IN ANY AREA ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE IS PROHIBITED.	\$ 250.00
8.64.060	ANY VIOLATION OF ORDERS OR DIRECTIVES FOR WATER SPORTS AND EQUIPMENT IS PROHIBITED.	\$ 100.00
8.68.010	ANY TRANSFERRING OF OWNERSHIP OF A FIREARM WITHOUT AN EFFECTIVE TRIGGER LOCK AND PRINTED MATERIAL ADVISING SAFE STORAGE PRACTICES IS PROHIBITED	\$ 250.00
9.04.030	PUBLIC NUDITY	\$ 75.00
9.10.010	REMAINING ON BUSINESS PROPERTY AFTER REQUESTED TO LEAVE	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 250.00
9.12.010	NOISE PROHIBITED, 10PM TO 8AM	\$ 110.00
9.12.015A	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON NON-RESIDENTIAL PRIVATE PROPERTY PROHIBITED BETWEEN 11 PM TO 7 AM	\$ 50.00
9.12.015B	MECHANICAL SWEEPERS, PARKING LOT VACUUM MACHINES, AND LEAF BLOWERS ON RESIDENTIAL PRIVATE PROPERTY PROHIBITED WEEKDAYS BETWEEN 5 PM AND 8 AM AND WEEKENDS BETWEEN 4 PM AND 10 AM	\$ 50.00
9.12.015C	LEAF BLOWERS IN EXCESS OF 65 dBA PROHIBITED	\$ 50.00
9.12.015D	UNLAWFUL TO CAUSE LEAVES OR DEBRIS FROM LEAF BLOWER OPERATIONS TO BE BLOWN OR DEPOSITED ON OTHER PROPERTY	\$ 50.00

Ord. #  
1000

Attachment: Bail Schedule 2015 Exhibit A (1118 : Bail Schedule)



9.12.040	AMPLIFIED SOUND WITHOUT A PERMIT	\$ 100.00
9.12.070	SOUND AMPLIFICATION PERMITS - VIOLATION OF PERMIT CONDITIONS	\$ 100.00
9.20.010	DISCHARGING FIREARMS	\$ 250.00
9.20.015	POSSESSION OF FIREARMS ON CITY PROPERTY OR PUBLIC PROPERTY IN THE VICINITY OF A SCHOOL PROHIBITED	\$ 500.00
9.22.050	ANY DISPLAY OR TRANSFER OF OWNERSHIP OF A FIREARM ON THE SATURDAY NIGHT SPECIALS LIST IS PROHIBITED	\$ 250.00
9.24.010	UNLAWFUL SALE OF FIREWORKS	\$ 500.00
9.24.020	UNLAWFUL DISCHARGE OF FIREWORKS	\$ 500.00
9.28.010	NO VEHICLES ON BEACH	\$ 100.00
9.28.020	ILLEGAL CAMPING ON BEACH	\$ 50.00
9.28.030	NO OPEN FIRES ON BEACHES	\$ 50.00
9.30.030	VIOLATION OF SURF SCHOOL REGULATIONS:	
	1ST OFFENSE	\$ 50.00
	2ND OFFENSE	\$ 100.00
	3RD OFFENSE	\$ 250.00
9.32.030	ALCOHOL CONSUMPTION/OPEN CONTAINERS PROHIBITED ON STREET, PARK, SCHOOL GROUNDS, BEACH	\$ 50.00
9.34.010	PUBLIC URINATION / DEFECATION PROHIBITED	\$ 50.00
9.48.020	CAMPING PROHIBITED	\$ 50.00
9.61.010	MEDICAL MARIJUANA PROCESSING AND CULTIVATION	\$ 1,000.00
10.04.030	PERSONS OTHER THAN OFFICIALS NOT TO DIRECT TRAFFIC	\$ 50.00
10.04.040	OBEDIENCE TO POLICE OR OTHER AUTHORIZED OFFICERS	\$ 100.00
10.04.070	BICYCLES PROHIBITED ON SIDEWALKS	\$ 30.00
10.04.080	OPERATION OF DEVICES ON SIDEWALKS	\$ 30.00
10.04.100	OBSTRUCTION OR INTERFERENCE/ERASED CHALK MARKS	\$ 70.00
10.28.010	DRIVING THROUGH FUNERAL PROCESSION	\$ 50.00
10.28.020	CLINGING TO MOVING VEHICLES	\$ 50.00
10.28.030	COMMERCIAL VEHICLES USING PRIVATE DRIVEWAYS	\$ 50.00
10.28.040	RIDING OR DRIVING ON SIDEWALK	\$ 50.00
10.28.050	NEW PAVEMENT MARKINGS	\$ 30.00
10.28.060	LIMITED ACCESS	\$ 30.00
10.28.070	RESTRICTIONS ON USE OF FREEWAYS	\$ 30.00
10.28.080	OBEDIENCE TO BARRIERS AND SIGNS	\$ 50.00
10.28.090	OBSTRUCTING INTERSECTION OR CROSSWALK	\$ 50.00
10.28.100	TRAFFIC BARRIERS	\$ 50.00
10.32.020	PEDESTRIANS MUST USE CROSSWALKS BUSINESS DISTRICT	\$ 30.00
10.32.030C	REMAINING ON MEDIANS PROHIBITED	\$ 20.00
10.32.030D	ENTERING A ROUNDABOUT IS PROHIBITED	\$ 20.00
10.32.030E	SUBSEQUENT OFFENSE WITHIN 6 MONTHS	\$ 100.00
10.36.010	PARKING PERMIT REQUIRED	\$ 48.00
10.36.020	STOPPING OR STANDING IN PARKWAYS	\$ 23.00
10.36.040	NO PARKING AREAS AS POSTED	\$ 41.00
10.36.045	EXPIRED METER ZONE	\$ 36.00
10.36.060	CITY HALL PARKING LOT USE: ONE-HOUR AND PERMIT PARKING	\$ 23.00
10.36.065	PARKING METER TAMPERING PROHIBITED	\$ 100.00

10.36.070	STORAGE OF VEHICLE ON STREET +72 HOURS:	
	1ST OFFENSE	\$ 73.00
	2ND OFFENSE	\$ 98.00
	3RD OFFENSE	\$ 128.00
10.36.070A	PARKING A VEHICLE ON A STREET OR ALLEY FOR MORE THAN 72 CONSECUTIVE HOURS IS PROHIBITED	\$ 65.00
10.36.070B	STORAGE OF COMMERCIAL VEHICLE ON PUBLIC STREET	
10.36.070B	1ST OFFENSE	\$ 50.00
10.36.070B	2ND OFFENSE	\$ 100.00
10.36.090	REPAIRING VEHICLE ON PUBLIC STREET	\$ 50.00
10.36.110	PARKING ADJACENT TO SCHOOLS	\$ 23.00
10.36.120	PARKING ON NARROW STREET: ON OR BETWEEN WHITE LINES	\$ 38.00
10.36.130	PARKING ON GRADES: WHEELS NOT CURBED	\$ 38.00
10.36.140	PEDDLER AND VENDOR PARKING	\$ 23.00
10.36.140B	VENDOR LICENSE REQUIRED	\$ 50.00
10.36.150	EMERGENCY PARKING SIGNS	\$ 30.00
10.36.160	DISABLED COMMERCIAL VEHICLES: WARNING SIGNALS	\$ 20.00
10.36.170A	RED ZONE	\$ 43.00
10.36.170B	YELLOW ZONE	\$ 41.00
10.36.170C	PASSENGER ZONE WHITE CURB	\$ 41.00
10.36.170D	GREEN CURB - 24 MINUTES	\$ 41.00
10.36.180	PARKING OF TALL VEHICLES WITHIN 100 FT OF AN INTERSECTION:	
10.36.180	1ST OFFENSE	\$ 50.00
10.36.180	2ND OFFENSE	\$ 100.00
10.36.195	NO PARKING WEEKENDS AND HOLIDAYS WITHOUT PERMIT	\$ 48.00
10.36.210	PARALLEL PARKING 18 INCHES FROM CURB: ONE-WAY STREETS	\$ 38.00
10.36.220	DIAGONAL PARKING	\$ 31.00
10.36.230	PARKED OUT OF SPACE	\$ 31.00
10.36.240	NO STOPPING ZONES	\$ 23.00
10.36.250	TAXICAB STANDS	\$ 23.00
10.36.270	HEAVY VEHICLES - USE OF STREETS	\$ 30.00
10.36.280	HEAVY VEHICLES - PARKING	\$ 53.00
10.36.290	PARKING RESTRICTIONS AUTHORIZED: TWO-HOUR PARKING	\$ 39.00
10.36.360	STOPPING OR STANDING OR PARKING IN ALLEYS	\$ 38.00
10.36.380	PARKING RESTRICTIONS CITY-CONTROLLED OFF-STREET PARKING	\$ 30.00
10.44.010	BICYCLE LICENSE REQUIRED	\$ 25.00
10.44.040	BICYCLE SECONDHAND DEALER REPORT REQUIRED	\$ 100.00
10.44.050	BICYCLE SALE REPORT REQUIRED	\$ 100.00
10.44.060	BICYCLE LICENSE PLATE OR SERIAL NUMBER DESTRUCTION	\$ 100.00
10.48.010	TRUCK ROUTES	\$ 50.00
10.48.020	ADVERTISING VEHICLES WITH SOUND AMPLIFYING LOUDSPEAKER	\$ 50.00
10.48.040	COMMERCIAL VEHICLES PROHIBITED FROM STREETS	\$ 50.00
10.56.010	MAXIMUM VEHICLE LENGTH	\$ 73.00
12.12.110	PERMITS ARE REQUIRED FOR ANY WORK DONE TO A HERITAGE TREE, DISREGARDING MAINTENANCE TRIMMING	\$250 / \$1,000

12.12.120	ANY DESTRUCTION VISITED UPON ANY PUBLIC TREE, OR DESTRUCTION TO A PRIVATE TREE THAT COULD SUBSEQUENTLY HARM A PUBLIC TREE WITHOUT FIRST OBTAINING A PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.130	FAILURE TO PROTECT OR MAINTAIN TREES ON CONSTRUCTION/DEMOLITION SITES IS A VIOLATION	\$250 / \$1,000
12.12.160	CUTTING OR REMOVAL OF TREES IN THE CITY WITHOUT A TREE REMOVAL PERMIT IS PROHIBITED	\$250 / \$1,000
12.12.270	VIOLATION OF COMMUNITY TREE / FOREST MANAGEMENT ORDINANCE	TREE REPLACE- MENT VALUE
12.42.010	DEPOT HILL BLUFF - PROHIBITION AGAINST GRADING, DISTURBING, ERECTING ANY STRUCTURE, MINING OR EXTRACTING MATERIALS:	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 250.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.44.010	PROHIBITION LIMITING BOATS ON CAPITOLA BEACH DURING WORKING HOURS	\$ 50.00
12.48.010	DOGS PROHIBITED ON WHARF	\$ 50.00
12.48.020	DIVING AND JUMPING FROM WHARF PROHIBITED	\$ 50.00
12.48.030	TYING BOATS TO WHARF PROHIBITED	\$ 50.00
12.48.040	OVERHEAD CASTING FROM WHARF PROHIBITED	\$ 30.00
12.48.050	UNAUTHORIZED VEHICLES PROHIBITED ON WHARF	\$ 108.00
12.48.060	BURNING ON WHARF PROHIBITED	\$ 50.00
12.48.070	TRESPASSING ON WHARF WHILE CLOSED PROHIBITED	\$ 50.00
12.48.090	JET SKIING, CAPITOLA BEACH	\$ 50.00
12.48.110	POWER BOAT, CAPITOLA BEACH	\$ 50.00
12.48.120	30 MINUTE FLOATING DOCK LIMIT	\$ 30.00
12.48.130	PRIVATE VOLLEYBALL NETS ON BEACH PROHIBITED DURING THE SUMMER PERIOD	\$ 30.00
12.48.140	GLASS CONTAINERS AND ALCOHOLIC BEVERAGE CONTAINERS LARGER THAN ONE GALLON PROHIBITED ON PUBLIC BEACH	\$ 30.00
12.52.010	SKATEBOARDING IS PROHIBITED IN (NEARLY ALL OF) ESPLANADE /CAPITOLA VILLAGE AREA	\$ 30.00
12.52.010A	SKATEBOARDING PROHIBITED ON SIDEWALKS OR CURBS	\$ 30.00
12.52.010B	SKATEBOARDING PROHIBITED - ESPLANADE PARK/RESTROOMS	\$ 30.00
12.52.010C	SKATEBOARDING PROHIBITED - PACIFIC COVE MOBILEHOME PARK AND PACIFIC COVE PARKING LOT	\$ 30.00
12.52.010D	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.010E	SKATEBOARDING PROHIBITED - SIDEWALKS OF CERTAIN STREETS LOCATED IN CAPITOLA VILLAGE	\$ 30.00
12.52.020	SKATEBOARDING PROHIBITED IN ANY AREAS NOT INCLUDED IN SECTION 12.52.010 IF ONE OR MORE SIGNS IS POSTED PROHIBITING SKATEBOARDING	\$ 30.00
12.52.030A	SKATEBOARDING - STOP AT ALL STOP SIGNS/RED LIGHTS	\$ 30.00
12.52.030B	SKATEBOARDING - YIELD TO VEHICLES AT YIELD SIGNS	\$ 30.00
12.52.030C	SKATEBOARDING - YIELD TO PEDESTRIANS AT CROSSWALKS	\$ 30.00
12.52.030D	SKATEBOARDING - DO NOT IMPEDE TRAFFIC OR INTERFERE WITH THE FLOW OF VEHICULAR TRAFFIC	\$ 30.00

12.52.030E	SKATEBOARDING - YIELD TO APPROACHING VEHICLES WHEN ENTERING ANY ROADWAY	\$ 30.00
12.52.030F	SKATEBOARDING - DO NOT BE TOWED BY A MOTOR VEHICLE OF ANY SPEED OR A BICYCLE AT ANY UNSAFE SPEED	\$ 50.00
12.52.030G	SKATEBOARDING - YIELD BICYCLE LANES TO BICYCLES	\$ 30.00
12.52.030H	SKATEBOARDING - DO NOT TRAVEL INTO PATH OF A CLOSE VEHICLE CONSTITUTING AN IMMEDIATE HAZARD	\$ 30.00
12.52.030I	SKATEBOARDING WITH DUE CARE AT A SAFE SPEED VIOLATION	\$ 50.00
12.52.040	WHEN SKATEBOARDING ON SIDEWALKS THAT ARE NOT PROHIBITED, SKATEBOARDERS MUST YIELD TO ALL PEDESTRIANS AND PROCEED WITH CARE WHEN NEAR PEDESTRIANS	\$ 30.00
12.56.010	ENCROACHMENT WITHOUT PERMIT	\$ 100.00
12.56.090	INSTALLING PRIVATE IMPROVEMENTS OR OBSTRUCTIONS IN ANY PUBLIC RIGHT-OF-WAY IS PROHIBITED, BARRING THE SPECIFIED EXCEPTIONS	\$ 100.00
12.58.030	ENTERING OR REMAINING ON POSTED PROPERTY WITHOUT WRITTEN PERMISSION OF CITY MANAGER	
	1ST OFFENSE IN A 12-MONTH PERIOD	\$ 100.00
	2ND OFFENSE IN A 12-MONTH PERIOD	\$ 200.00
	3RD OFFENSE IN A 12-MONTH PERIOD	\$ 500.00
12.64.020	DISPLAY OR SALE OF MERCHANDISE PROHIBITED	\$ 50.00
13.02.090	FAILURE TO COMPLY WITH PLUMBING FIXTURE RETROFIT REQUIREMENTS IS PROHIBITED	\$ 100.00
13.04.050	PUBLIC SEWAGE CONNECTION REQUIRED FOR BUILDINGS INTENDED FOR HUMAN HABITATION	\$ 500.00
13.16.180	VIOLATION OR FAILURE TO COMPLY WITH STORM WATER POLLUTION PREVENTION AND PROTECTION ORDINANCE MAY BE SUBJECT TO ENFORCEMENT ACTIONS OUTLINED IN TITLE 4	
	1ST OFFENSE	\$ 100.00
	2ND OFFENSE	\$ 200.00
	3RD OFFENSE	\$ 500.00
15.04.020	BUILDING CODE VIOLATIONS	\$ 100.00
15.12.010	ILLEGAL USE OF MOBILEHOME	\$ 50.00
15.14.010	TRANSPORTING A MOBILEHOME ACROSS PUBLIC STREETS/ALLEYS WITHOUT A PERMIT IS PROHIBITED	\$ 250.00
15.14.020	APPLICATION TO TRANSPORT A MOBILEHOME, FILED 3 DAYS PRIOR TO ANTICIPATED TRANSPORTATION IS REQUIRED	\$ 250.00
15.14.030	MOBILEHOME: A FIFTY DOLLAR PERMIT FEE IS REQUIRED	\$ 250.00
15.14.040	ALLOWING A MOBILEHOME TO STAND ON A PUBLIC STREET/ALLEY FOR MORE THAN 12 HOURS IS PROHIBITED	\$ 250.00
17.54.070	ERECTING FENCE WITHOUT A PERMIT	\$ 100.00
17.57.020	PERMIT REQUIRED FOR SIGN	\$ 100.00
17.57.040	SIGN PROHIBITED VIOLATION	\$ 100.00
17.57.050	TEMPORARY SIGN VIOLATION	\$ 100.00
17.57.060	CENTRAL VILLAGE SIGN VIOLATION	\$ 100.00
17.57.070	PERMANENT SIGN VIOLATION	\$ 100.00
17.60.020	FAILURE TO OBTAIN CONDITIONAL USE PERMIT	\$ 100.00
17.81.060	ANIMAL OFFENSIVE OR ENDANGER TO NEIGHBORS	\$ 100.00
17.81.060B	NUMBER OF ANIMALS ALLOWED IN SINGLE-FAMILY DWELLING	\$ 100.00

17.81.110	ACCESSORY STRUCTURE WITHOUT A PERMIT	\$ 100.00
17.81.140	DISH ANTENNAE PROHIBITED	\$ 80.00
17.98.080	WIRELESS COMMUNICATION FACILITIES ARE PROHIBITED WITHIN 500 FEET OF SPECIFIED ZONING DISTRICTS (FAMILY RESIDENCE, SCHOOLS, PARKS AND OPEN SPACE, PUBLIC FACILITIES, ETC.) AND WITHIN 3,000 FEET OF COASTLINE	\$ 250.00



# CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: Community Development

SUBJECT: Zoning Code Update: Schedule for Special Meetings

**RECOMMENDED ACTION:** Accept staff recommendation on special meeting schedule for review of zoning code issues and options.

**BACKGROUND:** The City is currently working on the Zoning Ordinance update. The Planning Commission held four special meetings on May 18; May 21; June 22; and July 20, 2015 to review the Issues and Options report (Attachment 1) and provided direction to staff on the preferred option. The Planning Commission provided direction on all 18 items. The Planning Commission direction is included in the Issues and Options Matrix (Attachment 2).

On August 13, 2015, staff provided the City Council with an overview of the Planning Commission direction. The City Council requested that staff schedule special meetings beginning in October to review 12 of the 18 zoning issues.

**DISCUSSION:** Staff drafted the following tentative schedule for the special City Council meetings. Agenda items that are not discussed during a special meeting will be added to the next meeting agenda. Staff scheduled a meeting in November in the event that an additional meeting is necessary.

Monday October 19<sup>th</sup> @ 6 pm

- Issue 1: Protecting the unique qualities of Residential Neighborhoods
- Issue 16: Height
- Issue 17: Floor Area Ratio
- Issue 5: Parking
- Issue 6: Historic Preservation
- Issue 7: Signs

Monday October 26<sup>th</sup> @ 6 pm

- Issue 8: Non-Conforming Uses
- Issue 9: Secondary Dwelling Units
- Issue 11: Architectural and Site Review Committee
- Issue 13: Planned Development
- Issue 15: Visitor Serving Uses on Depot Hill
- Issue 18: City Council Appeal of Planning Commission Decision

Thursday November 19 @ 6 pm (as necessary)

Zoning Code Update  
September 24, 2015

Next Steps

After receiving direction on all 18 issues, the new Zoning Code and CEQA document will be drafted for publication. This step is estimated to take approximately two to three months. The document will be published and available for public review for an additional month. The draft Ordinance will then return to the Planning Commission for review and recommendation. The City Council will conclude the process with the final review and adoption. Upon adoption, the Zoning Code will be submitted to the Coastal Commission.

ACTIVITY	SCHEDULE
Issues and Options Hearings – Planning Commission	May – July 2015
Issues and Options Hearings – City Council	October – Nov 2015
Preparation of Draft Zoning Code	Dec 2015 – Feb 2016
Draft Zoning Code Review Hearings – Planning Commission	March 2016 – May 2016
Draft Zoning Code Review Hearings – City Council	June 2016 – Aug 2016
Zoning Code Review – Coastal Commission	Aug 2016 - TBD

FISCAL IMPACT: None

ATTACHMENTS:

1. Issues and Options Report
2. Issues and Option Matrix

Report Prepared By: Katie Cattan  
Senior Planner

Jamie Goldstein, City Manager

9/18/2015



CITY OF CAPITOLA  
COMMUNITY DEVELOPMENT DEPARTMENT

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# ZONING CODE UPDATE

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## ISSUES AND OPTIONS REPORT

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MARCH 5, 2015

CITY OF CAPITOLA  
420 CAPITOLA AVENUE  
CAPITOLA, CA 95010

Attachment: Issues and Options Report (1116 : Zoning Code Update)





**Introduction**

This report presents options for how Capitola can address important issues in its updated Zoning Code. The report will help facilitate public discussion and summarizes input received to-date from the Planning Commission, City Council, and general public. Reviewing this input early in the process will help City staff and consultants prepare an updated zoning code that reflects the unique conditions, values, and goals in Capitola.

The report begins with a brief description of planned changes to the existing zoning code that are non-controversial and straight-forward. The second part then discusses the following 18 issues that warrant public discussion early in the zoning code update process:

<b>Issue</b>	<b>Page</b>
1. Protecting the Unique Qualities of Residential Neighborhoods	7
2. Maintaining and Enhancing the Village Character	8
3. Accommodating High-Quality Development on 41 <sup>st</sup> Avenue	10
4. Protecting Retail Vitality on 41 <sup>st</sup> Avenue	11
5. Parking: Required Number, Village Hotel, Reductions, Efficiency, and Garages	12
6. Historic Preservation	17
7. Signs: Threshold for Review and Tailored Standards	19
8. Non-Conforming Uses: Calculation of Structural Alterations, Historic Structures, and Amortization in R-1 Zone	20
9. Secondary Dwelling Units	24
10. Permits and Approvals	24
11. Architecture and Site Review: Authority of Committee, Timing of Review, and Composition of Committee	25
12. Design Permits: When Required, Review Authority, and Considerations for Approval	27
13. Planned Development	30
14. Environmental and Hazards Overlays	30
15. Visitor-Serving Uses on Depot Hill	31
16. Height: Residential Neighborhoods, Capitola Village, Hotel	32
17. Floor Area Ratio	34
18. City Council Appeal	36

For each issue, the report presents two or more options for how the issue can be addressed in the updated Zoning Code. The first option is always to make no change to the existing Zoning Code. Within the no change option, the code would be updated for clarity but there would be no modification to how the regulations are applied. Other options reflect direction in the new General Plan, ideas previously discussed in Capitola, and practices from other similar communities. During public discussion new options may be suggested – these new ideas should be considered alongside those included in this report.

How This Report was Created

This report was prepared based on substantial input from the community. In August and September 2014 staff hosted a series of stakeholder meetings with architects, developers, commercial property owners, business owners, property managers, residents, and recent applicants. At these meetings participants commented on specific issues with the existing Zoning Code and how the updated Zoning Code could be improved. City staff also received

Attachment: Issues and Options Report (1116 : Zoning Code Update)

input on the Zoning Code through an online survey. Stakeholder meeting notes and survey results are available on the City's website.

The contents of this report were also shaped by the new General Plan, and the discussion of zoning-related issues during the General Plan Update process. Many policies and actions in the General Plan call for changes to the Zoning Code. The report also reflects staff's experience administering the zoning code in Capitola, professional experience elsewhere, and input from the City's consultants on best practices from other communities.

### A Note about Sustainability

Environmental sustainability is a core community value in Capitola. Reflecting this, the General Plan contains the following Guiding Principle relating to environmental resources:

Embrace environmental sustainability as a foundation for Capitola's way of life. Protect and enhance all natural resources—including the beaches, creeks, ocean, and lagoon—that contribute to Capitola's unique identity and scenic beauty. Reduce greenhouse gas emissions and prepare for the effects of global climate change, including increased flooding and coastal erosion caused by sea-level rise.

General Plan Goal OSC-1 also calls for Capitola to “promote sustainability as a foundation for Capitola's way of life.”

An important component of sustainability is reduction of greenhouse gas emissions and adaptation to climate change. To address this issue, Capitola is now in the process of preparing a Climate Action Plan (CAP). While the CAP primarily aims to reduce greenhouse gas emissions, it also touches on all aspects of sustainability, including the following:

- Land Use and Community Design
- Economic Development
- Transportation
- Green Building and Energy Efficiency
- Renewable Energy
- Water and Wastewater
- Solid Waste Diversion
- Open Space and Food Systems

To achieve greenhouse gas reductions related to these topics, the CAP will call for changes to Capitola's zoning code. To avoid redundancy with the CAP project, this Issues and Options report does not repeat zoning-related measures currently under consideration for the CAP. Instead, the City will consider these measures during the CAP process and then incorporate them into the Zoning Code. The timing and schedule of the two projects allows for the City to decide on preferred zoning-related CAP measures before the drafting of the updated Zoning Code begins.

## Part A. Non-Controversial Changes

Below is a summary of anticipated changes to the existing Zoning Code that are primarily non-controversial, straight-forward, and technical in nature. Opportunities for public review and input for these changes will be provided through the hearing process and workshops for the updated Zoning Ordinance. These items are not expected to be a topic of discussion during the issues and options work sessions with the Planning Commission and City Council. In addition, a comprehensive list of issues and revisions for non-controversial matters is presented in Attachment 1.

1. **Revision of Overall Organization.** The overall organization of the Zoning Ordinance will be changed, with information presented in a more intuitive manner. Similar provisions will be grouped together with related standards clearly cross-referenced. A user-friendly index to the zoning code will be added. The layout of each page will be redesigned to speed up comprehension with less text per page, logical headings, and visual diagrams. Standards will be the same across the entire Zoning Ordinance, so that the document has no contradictory information. Unnecessary repetitions of standards and regulations will be removed.
2. **Clarification of Development Standards.** The zoning code will be updated to include consistent development standards that are defined. Diagrams, illustrations, and tables will be added to the ordinance. These additions will more efficiently communicate land use regulations and development standards for each zoning district. Diagrams, illustrations, and tables will be utilized throughout the code within provisions that benefit from graphic illustration.
3. **Clarification of Process.** The Zoning Ordinance will be updated to clarify when a permit is required and the process of review.
4. **Technical Language.** Much of the existing code consists of text created for those in the legal profession or professional planners. Property owners find the code difficult to understand. Language will be substantially revised to convey the same meaning, but re-written in plain English, removing jargon to the greatest extent possible.
5. **Updated Definitions.** The existing list of definitions is incomplete and outdated. Definitions will be added to include terms that are utilized but not defined. For example, personal service establishment is listed as a use in commercial districts but not defined. Diagrams or illustrations will be added for those terms in which illustrations help define the concepts, such as height as measured on a slope. Also, the existing definitions will be updated to remove discretion in interpretation.
6. **Updated Administrative, Principally Permitted, and Conditional Land Use Lists.** Land use lists will be updated within each zone within a comprehensive table. Land uses will be categorized into principally permitted, administrative, and conditional. Land uses that do not present a conflict, are non-controversial, and compatible with the zoning district, will be identified as principally permitted uses. Land uses that are compatible with the zoning district but require specific conditions to be in compliance (home occupation) will be listed as administrative land use permits. Land uses that may require mitigation or additional oversight will be included as conditional uses. The process, considerations, findings, and conditions for administrative land use permits and conditional use permits will be updated.
7. **Protect Public Pathways and Trails.** The existing Zoning Ordinance disperses various development standards related to pathways/trails within specific environmentally sensitive areas and within design guidelines. The updated zoning ordinance will introduce

development standards for properties that have trails/pathways within or adjacent to the property.

8. **Implementation of General Plan.** The updated zoning ordinance will implement a variety of goals and polices in the recently adopted City of Capitola General Plan. This will include new standards for 41<sup>st</sup> Avenue, transition areas between commercial and residential zones, night sky regulations, and updates to zoning districts to implement the General Plan land use map. Some of these policies are discussed in Part B of this report.
9. **Revision for Legal Compliance.** The City is obligated to revise the zoning ordinance in response to California laws related to zoning issues. Examples include removal of the outdated mobile home section of code, family day care, and wireless regulations.
10. **Clarification of Coastal Section.** The coastal section of the code is very difficult to read. The section will be rewritten to ensure that the threshold for when a coastal permit is required is clarified, and what findings must be made prior to the issuance of a coastal permit. Also, the list of visitor serving uses adjacent to residential properties will be revised to prohibit development of non-compatible uses, such as carnivals and circuses.

## Part B. Items for Public Discussion

Complex issues worthy of public input, discussion, and direction are discussed below. The focus of the issues and options work sessions is to discuss the issues and options and provide staff with direction for the updated Zoning Code.

For each topic, the issue is first defined, followed by possible ways the updated zoning code could be modified to address the issue.

### ISSUE 1: Protecting the Unique Qualities of Residential Neighborhoods

Protecting residential neighborhoods was a key issue discussed during the General Plan Update. The General Plan contains a number of goals and policies to address this issue:

**Goal LU-4** Protect and enhance the special character of residential neighborhoods.

**Goal LU-5** Ensure that new residential development respects the existing scale, density, and character of neighborhoods.

**Policy LU-5.1 Neighborhood Characteristics.** Require new residential development to strengthen and enhance the unique qualities of the neighborhood in which it is located. Residential neighborhood boundaries are identified in Figure LU-1.

**Policy LU-5.3 Mass and Scale.** Ensure that the mass, scale and height of new development is compatible with existing homes within residential neighborhoods.

**Policy LU-5.5 Architectural Character.** Ensure that the architectural character of new development and substantial remodels complements the unique qualities of the neighborhood in which it is located and the overall coastal village character of Capitola.

Within the public survey for the zoning code update, concern for preserving neighborhood character rose to the top of the list.

Capitola's current zoning ordinance takes a one size fits all approach to all single family residential neighborhood. This does not always produce desired results or respect the existing patterns within a specific neighborhood. For instance, the development standards are the same for Cliffwood Heights and Riverview Avenue north of the trestle. Both are required to have an increase in the second story setback. Although potentially appropriate in Cliffwood Heights to ensure articulation of buildings, this regulation disrupts the flow of the streetscape on Riverview.

After the zoning code update City staff plans to prepare new residential design guidelines, as called for by the General Plan. These guidelines will document the unique characteristics of individual neighborhoods in Capitola and help ensure that new homes and remodels are compatible with these characteristics. All options described below anticipate the future adoption of these new guidelines.

#### Options:

1. **Maintain existing R-1 standards for all neighborhoods.** With this option the Zoning Code would retain its existing R-1 standards that apply to all residential neighborhoods. Some specific standards may be modified to better meet the needs of property owners and address neighborhood concerns. After the future preparation of residential design

guidelines, reference to these guidelines could be added to the R-1 chapter or to the findings required for approval of a Design Permit.

**2. Introduce tailored development standards for individual residential neighborhoods.**

With this option the Zoning Code would identify the various neighborhoods within Capitola and identify the character-defining attributes of each area. The zoning code would establish standards for each of the residential neighborhoods that encourage the individual attributes and patterns within a neighborhood. The neighborhoods may be delineated through different residential base zones (e.g., R-1, R-2) or through overlay zones similar to residential overlay in the Village zone. For an example of a neighborhood-specific approach to zoning regulations, see the City of Azusa and Sonoma zoning codes:

[https://www.municode.com/library/ca/azusa/codes/code\\_of\\_ordinances](https://www.municode.com/library/ca/azusa/codes/code_of_ordinances)

<http://codepublishing.com/ca/sonoma/>

**3. Allow case-by-case deviations to R-1 standards.** With this option a single set of standards would remain for the R-1 zone, but the Planning Commission could allow for deviations to these standards on a case-by-case basis. This would be a different process from a variance, with different findings required for approval. Standards subject to allowable deviation could include building height, setbacks, second story setbacks, garage and parking design, and floor area ratio. To approve, the Planning Commission would need to find that the deviation reflects the prevailing character in neighborhood and won't negatively impact adjacent properties. A maximum allowable deviation could also be established (e.g., 15 percent maximum deviation from standard), and deviations could be allowed only in certain locations. For an example of waivers to development standards, see San Carlos Zoning Code Chapter 18.33:

<http://www.codepublishing.com/CA/SanCarlos/#!/SanCarlos18/SanCarlos1833.html#18.33>

## **ISSUE 2: Maintaining and Enhancing the Village Character**

During the General Plan Update residents emphasized the importance of maintaining and enhancing the unique Village character. Specific General Plan goals and policies include the following:

**Goal LU-6** Strengthen Capitola Village as the heart of the community.

**Policy LU-6.1 Village Character.** Maintain the Village as a vibrant mixed use district with residences, visitor accommodations, restaurants, shops, and recreational amenities.

**Policy LU-7.1 New Development Design.** Require all new development to enhance the unique character of the Village.

The existing Zoning Code establishes land use regulations and development standards for the Village in Chapter 17.21 (C-V Central Village District). The C-V district chapter itself contains limited standards pertaining to building and site design. Instead, the chapter states that development standards for the C-V district are contained in the adopted Central Village Design Guidelines. This document, adopted in 1987, contains design guidelines for site planning, building design, landscaping, signs, and parking in the Village. The guidelines also address the

unique needs of the Esplanade, the residential overlay districts, and residential properties in general.

Typically, design guidelines describe in qualitative terms the desired form and character of new development. These guidelines are advisory, not mandatory, and allow for flexibility for individual projects. The Central Village Design Guidelines, in contrast, contains numerous statement of mandatory standards. For example, the Guidelines state that “structures shall be limited to one story” on the Soquel Creek side of Riverview Avenue. The use of “shall” rather than “should” statements such as this is primarily found in the guidelines for residential overlay districts, including the Six Sisters Houses, Venetian Court, Lawn Way, and Riverview Avenue.

The updated Zoning Code should consider if some of these “guidelines” for the residential overlays should be added to the Zoning Code as mandatory standards. The City should also consider if additional design standards should be added to the Zoning Code for all properties within the Village.

### Options:

1. **Maintain existing standards with advisory design guidelines.** In this option, the standards of the Central Village would remain as they are today. We would clarify that the Guidelines are advisory, not mandatory.
2. **Establish new building form and character standards.** The Zoning Code could establish mandatory site and building standards to maintain and enhance the Village character. These would apply to non-residential and mixed-use development. New standards could address the following design concepts:
  - Maximum setbacks to keep buildings and their entrances close to the sidewalk.
  - Permitted treatment of setback areas (e.g., plazas and landscaping, no parking)
  - Minimum building width at street edge (defined as percentage of lot width) to maintain a continuous presence of storefronts.
  - Buildings oriented towards a public street with a primary entrance directly accessible from the sidewalk.
  - Maximum length of unarticulated/blank building walls.
  - Required storefront transparency (percentage clear glass)
  - Maximum building/storefront width (require larger buildings to be broken down into a pedestrian-scale rhythm with individual building bay widths)
  - Surface parking location (at the rear or side of buildings, not between a building and a street-facing property line).
  - Frequency and width of driveways crossing sidewalks.
  - Requirements or incentives for residential front porches.

For an example of this approach, see San Carlos Zoning Code Chapter 18.05:

<http://www.codepublishing.com/CA/SanCarlos/#!/SanCarlos18/SanCarlos1805.html#18.05>

3. **Incorporate design guidelines as standards in the Zoning Code.** Design “guidelines” for residential overlays that are expressed as mandatory “shall” statements would be incorporated into the Zoning Code as new standards. These guidelines can be found on pages 12 and 13 of the [Design Guidelines](#). Guidelines would be modified as needed to protect and enhance the design character of these areas.



4. **Remove reference to Central Village Design Guidelines.** This modification would require applicants to follow the development standards in the code without any guidance from the guidelines. The guidelines would be repealed during the zoning code update. The reference could be reintroduced after the City prepared updated design guidelines for the Village.

After completing the zoning code update, the Community Development Department intends to update the Village design guidelines as called for by the General Plan. These updated Guidelines will be consistent and integrated with zoning regulations for the Village.

### **ISSUE 3: Accommodating High-Quality Development on 41<sup>st</sup> Avenue**

The General Plan contains the following goals for 41<sup>st</sup> Avenue and the Capitola Mall:

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

**Goal LU-9** Encourage high quality development within the 41st Avenue corridor that creates an active and inviting public realm.

For the mall property, General Plan policies support phased redevelopment, eventual parking lot redevelopment, relocation of the metro center, new public gathering places, and a new interior street to create a more pedestrian-friendly environment. For 41<sup>st</sup> Avenue overall, General Plan policies encourage new public amenities, more entertainment uses, and improvement that create an attractive destination for shoppers. The General Plan also aims to minimize impacts to residential neighborhoods from changes along the corridor.

The zoning code update should support these goals and policies and help implement the community's vision for long-term improvements to the corridor. This could be achieved through increased parking flexibility, incentives for community benefits, and a streamlined permitting process.

#### **Options:**

1. **Maintain existing regulations.**
2. **Increase Parking Flexibility.** Existing off-street parking requirements could prevent the type of development and improvements envisioned by the General Plan. Allowing for shared parking, mixed use reductions, and a more district-based approach to parking would help to remove this barrier. Specific methods to introduce increased parking flexibility are addressed in Issue #5.
3. **Create incentives for desired improvements.** The General Plan allows for increased floor area ratio (FAR) for certain types of projects on 41<sup>st</sup> Avenue. The Zoning Code could build from this concept by offering incentives for projects that include community benefits such as new public gathering places, streetscape improvements, entertainment uses, etc. Incentives could include additional FAR, flexibility on development standards such as height and parking, and a streamlined permitting process. Allowed FAR with an incentive-based bonus would always be within the maximum established in the General Plan. As an example, the City of Berkeley has a "Green Pathway" incentive program that offers

streamlined permitting for projects that incorporate sustainability features beyond the City's minimum requirements. See Berkeley Zoning Code Chapter 23.B.34:

<http://codepublishing.com/ca/berkeley/>

The existing Planned Development provisions (Chapter 17.39) is another tool that allows deviations from development standards. This option is further discussed within Issue 13.

4. **Strengthen connection to 41<sup>st</sup> Avenue Design Guidelines.** The existing Design Guidelines for 41<sup>st</sup> Avenue are in many ways consistent with the General Plan. The updated Zoning Code could strengthen the connection to this document by requiring the Planning Commission to find proposed projects consistent with the Guidelines when approving Design Permits.
5. **Streamline Permitting Process.** The City currently requires Design Permits for new tenants in commercial zones, and a Conditional Use Permit for many types of uses. This requirement can discourage small scale and incremental improvements to properties necessary for long-term vitality. As discussed in Issue #10 and #12, the updated zoning code could streamline the permitting process for certain types of projects to encourage new investment on the corridor.

#### **Issue 4: Protecting Retail Vitality on 41st Avenue**

Within the business owner and commercial property owner stakeholder meetings, there was recurring advice to zone for what the City would like to see and where; then make it easy for the desired use to be established. Stakeholders discussed the economic strategy to locate commercial uses that collect sales tax and visitor uses which collect transient occupation taxes (TOT) along the busiest commercial corridors to maintain a healthy tax base. Currently, transient uses, such as a hotel, are treated the same as office space beyond 3,000 sf; both require a conditional use permit in the CC zone. An office with less than 3,000 sf are principally permitted. The City has seen a number of primary retail sites convert to professional and medical offices.

This issue was discussed during the General Plan Update as well, particularly regarding medical office uses in the C-C zone along 41<sup>st</sup> Avenue. In response to this concern, the following policies and actions were added to the General Plan:

**Policy LU-9.4 Retail Protection.** Discourage professional and medical offices in key locations that may displace retail establishments and diminish the economic vitality of the corridor.

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

- Continuing to require a Conditional Use permit for offices, medical services, and other non-retail uses in the Regional Commercial designation.
- Amending the Zoning Code to require the Planning Commission to specifically find that a proposed non-retail use will not detract from the economic viability of the corridor.

- Preparing a study to examine the optimal socio-economic mix of retail and office/professional uses on 41st Avenue.

### Options:

1. **Maintain existing regulations.**
2. **Add new findings for professional and medical office uses.** The updated zoning code could include new findings required to approve office and other non-retail uses in the CC zone. For example, to approve such a use the Planning Commission would have to find that the proposed use would not detract from the economic viability of the district and/or shopping center where it is located. The applicant would be required to demonstrate to the Planning Commission's satisfaction that this finding can be made. The requirement to make this or similar findings could apply throughout the CC zone, or just in specific locations where the City wishes to maintain a high concentration of retail and personal service uses.
3. **Encourage professional and medical office uses in certain locations.** The updated zoning code could make it easier to establish professional and medical office uses in certain locations, thus discouraging these uses in prime retail areas. For example, the zoning code could allow office uses by-right in tenant spaces that do not have a visible presence from 41st Avenue, Capitola Road, or Clares Street or that are on upper floors of a building. This could be a form of "vertical zoning" to incentivize the establishment of office uses in desirable locations. The updated zoning code could also use new overlay zones to identify locations where professional and medical offices are allowed by-right without a conditional use permit. The zoning code would also establish new design and operational standards for office uses allowed by-right to ensure neighborhood compatibility.
4. **Introduce new limitations for professional and medical office uses.** Cities often use zoning regulations to limit the concentration of land uses in certain areas. For example, the City of Berkeley has a cap on the number of restaurants in its "Gourmet Ghetto" neighborhood. The purpose of this limitation is to ensure that there are a sufficient number of non-restaurant uses in the area to serve neighborhood residents. Cities also frequently limit the concentration of "problem" uses such as liquor stores, adult businesses, and pawn shops. Capitola could take a similar approach to professional and medical office uses in the C-C zone. For example, the zoning code could state that medical office is limited to 20 percent of each multi-tenant building or shopping center in certain locations. Or the zoning code could establish a total cap on the number of medical office uses or a minimum separation standard for these uses. These limitations could be absolute (cannot be exceeded under any circumstance) or the Planning Commission could allow for exceptions in special circumstances on a case-by-case basis.

### ISSUE 5: Parking

Parking requirements is a complicated and controversial issue in Capitola. On one hand, residents want to ensure that new development provides adequate off-street parking to minimize spillover parking impacts on neighborhoods. On the other hand, many community members desire flexibility in parking requirements to allow for infill development that will increase economic vitality and support a more multi-modal transportation system. This tension is reflected in General Plan Policy MO-5.1, which calls for the City to "balance the need for adequate off-street parking with other community goals, such as increasing transportation choices and maintaining a high-quality design environment.

The zoning code update will need to address a number of thorny parking issues, including the number of required off-street parking spaces, Village hotel parking, and promoting parking efficiency.

**A. Number of Required Parking Spaces**

Zoning Code Section 17.51.130 established required number of off-street parking spaces for different land uses. Some of these parking standards are shown in the table below.

Land Use	Required Off-Street Parking Spaces
Single-Family Homes	2- 4 spaces per unit, depending on unit size
Multi-Family Units	2.5 spaces per unit
Retail	1 space per 240 sq. ft. of floor area
Restaurant	1 space per 60 sq. ft. of floor area
Office	1 space per 240 sq. ft. of floor area

It should also be noted that in the CC zone outside the coastal area, the parking standards were updated to reflect recent parking studies. The updated requirements are not as restrictive with retail and office at 1 space per 300 sf, and restaurant calculations including dining area (60/sf) and other floor area (1/300 sf). During the update, discussions included application of these standards Citywide during the zoning code update.

Community members have expressed a range of opinions on the City’s existing off-street parking requirements. Some find that parking requirement inhibit new development, redevelopment, and improvements to existing properties that would benefit the community. They support reducing parking requirements in certain cases or providing more flexibility in how parking needs are met. Others believe Capitola already suffers from inadequate parking supply and reducing and modifying parking requirements will exacerbate the situation and increase spillover parking impacts on residential neighborhoods. Ultimately, the General Plan was adopted with the following Policy MO-5.3: “Consider reduced off-street parking requirements for mixed-use projects, transit-oriented development, and other projects that demonstrate a reduced demand for off-street parking.”

Allowing for parking reductions is common in communities well-served by transit and/or interested in promoting infill development to utilize land resources efficiently, increase the supply of multi-family housing, and reduce reliance on the automobile. The City of Santa Cruz, for example, allows for some reductions (Section 24.12.290:

[http://www.codepublishing.com/ca/santacruzcounty/html/santacruzcounty13/santacruzcounty13\\_10.html](http://www.codepublishing.com/ca/santacruzcounty/html/santacruzcounty13/santacruzcounty13_10.html)) and will likely further reduce/adjust on-site parking requirements along transit corridors as part of zoning code amendments to implement the City’s new General Plan. Recent research shows that parking demand for mixed use development is less than for single use development. See:

[http://asap.fehrandpeers.com/wp-content/uploads/2012/05/APA\\_PAS\\_May2013\\_GettingTripGenRight.pdf](http://asap.fehrandpeers.com/wp-content/uploads/2012/05/APA_PAS_May2013_GettingTripGenRight.pdf).

Any reduced parking requirement, however, needs to carefully consider potential spillover parking impacts on residential neighborhoods.

There is some evidence that Capitola's parking requirements are greater than what may be needed and what is required in other similar communities. In 2008, the City commissioned RBF Consulting to prepare a parking study for the Village. As part of their analysis, RBF evaluated the City's parking standards and compared them to other neighboring cities and standards established by the Institute of Transportation Engineers (ITE). The study concluded that the City's parking standards often exceed those of neighboring jurisdictions and ITE standards.

### Options:

1. **Maintain Existing Requirements.**
2. **Modify Parking Requirements for Certain Land Uses in All Areas.** The updated Zoning Code could modify parking requirements for certain land uses in all areas of the City. For example, the parking standards in the CC zone for restaurant could be applied Citywide. Parking requirements could be modified for:
  - Restaurants, potentially reducing the parking requirement (currently 1 space/60 sf).
  - Take-out food establishments, eliminating the need for seat counting
  - Single-family homes, creating one standard regardless of size
  - Multi-family homes, allowing reduced parking requirements for small units
3. **Create Location-Based Parking Standards.** The updated Zoning Code could establish different parking requirements depending on the location. For example, parking requirements in the Village could be different from on 41st Avenue, reflecting that more people walk to destinations in the Village from their homes or lodging. This approach could apply only to certain land uses, such as restaurants, or to all land uses. Walnut Creek takes the later approach, identifying parking reduction zones subject to parking reductions for all land uses. See Walnut Creek Zoning Code Section 10-2.3.204.C:  
<http://www.codepublishing.com/ca/walnutcreek/html/WalnutCreek10/WalnutCreek1002C.html>
4. **Allow for reductions with Planning Commission approval.** The updated Zoning Code could allow for reductions in the number of required parking spaces as suggested in General Plan Policy MO-5.3. Reductions would need to be approached carefully to avoid spillover parking impacts on neighborhoods. All reductions would be approved by Planning Commission after making special findings. Possible reductions include the following:
  - **Low Demand.** The number of parking spaces could be reduced if the land use would not utilize the required number of spaces due to the nature of the specific use, as demonstrated by a parking demand study.
  - **Transportation Demand Management Plans.** The number of parking spaces could be reduced if the project applicant prepares and implements a Transportation Demand Management Plan to reduce the demand for off-street parking spaces by encouraging the use of transit, ridesharing, biking, walking, or travel outside of peak hours.
  - **Bus Stop/Transportation Facility Credit.** The number of parking spaces could be reduced for commercial or multiple-family development projects in close proximity of a bus stop.

- **Mixed-Use Projects.** A mixed-use project with commercial and residential units could reduce parking requirements for commercial and office uses.
5. **Allow for reductions By-Right.** This option is similar to Option 2, except that a project could receive a reduction by-right (without Planning Commission approval) provided that it complies with objective standards.

## B. Village Hotel Parking

During the General Plan Update residents discussed ideas for a new hotel in the Village. Based on this discussion, the General Plan contains guiding principles for a new Village hotel if one is proposed on the old theatre site. General Plan Policy LU-7.5 identifies these guiding principles, including this principle relating to parking: “Parking for the hotel should be provided in a way that minimizes vehicle traffic in the Village and strengthens the Village as a pedestrian-oriented destination. This could be achieved through remote parking, shuttle services, and valet parking arrangements.” The General Plan also addresses Village parking more generally including Policy MO-6.4 which calls for the City to “maintain a balanced approach to parking in the Village that addresses the parking needs of residents, merchants, and visitors.”

The Zoning Code and LCP also require new development in the Village to provide adequate parking outside of the Village and within walking distance. The property owners of the proposed Village Hotel have expressed their desire to provide on-site parking to accommodate approximately 65-70 vehicles, with additional off-site parking for staff located in the Beach and Village Parking Lots.

The updated Zoning Code will need to address parking requirements for hotels in the Village. The existing Zoning Code requires one parking space for each guest room plus additional spaces as the Planning Commission determines necessary for the owners and employees. The Fairfield and Best Western on 41<sup>st</sup> Avenue, which provide 92 and 48 spaces respectively, comply with this requirement. The Coastal Commission will also have opinions on this issue, with the goal of maximizing public access to the Village and beach, increasing transportation alternatives serving the Village, and ameliorating existing parking shortage problems.

### Options:

1. **Maintain existing parking requirements.** The general plan policy LU-7.5 guides against this option. Providing parking standards for a future hotel within the zoning update will create certainty in the requirements.
2. **Specific On-Site Parking standard for Village Hotel.** The updated Zoning Code could establish a specific on-site parking requirement for a new hotel in the Village. For example, the Zoning Code could carry forward the existing standard of 1 on-site parking space per guest room. Or, the Zoning Code could require 0.5 on-site spaces with the remaining parking need accommodated at an off-site location.
3. **Base Standard on a Parking and Traffic Study prepared for the hotel development project application.** The updated Zoning Code could state that the number of parking spaces required for the hotel will be as determined necessary by a parking and traffic study prepared for a hotel development project application. The Code could allow for a percentage of this needed parking to be accommodated off-site.

4. **Allow Planning Commission and/or City Council to establish parking standards for an individual project based on performance criteria.** Similar to Option 2, the Planning Commission or City Council could establish on-site and off-site parking requirements for a Village Hotel in response to a specific application. This requirement would reflect the findings of a parking and traffic study. In addition, the Zoning Code could contain specific findings that the City must make when establishing this requirement. The findings, or “performance criteria,” could reflect public input on Village Hotel parking and circulation obtained during the General Plan Update process. For example, the Zoning Code could state that when establishing the required parking for the Village Hotel, the City must find that:

- The hotel is served by a combination of on-site and off-site parking.
- Parking provided on-site is the minimum necessary for an economically viable hotel.
- On-site parking is minimized to reduce vehicle traffic in the Village and strengthen the Village as a pedestrian-oriented destination.
- On-site hotel parking will not result in any noticeable increase in traffic congestion in the Village.

### C. Parking Efficiency

The General Plan calls for the City to “support the efficient use of land available for parking through shared parking, valet parking, parking lifts, and other similar methods.” (Policy MO-5.2). The updated Zoning Code could include provisions to implement this policy.

The Zoning Code currently allows for the City to designate two metered parking spaces in the Village for the operation of a valet parking program. (Section 17.21.140). The Zoning Code is silent on shared parking, and parking lifts, however past practice has been to consider the results of parking studies when evaluating mixed use projects and to allow the use of parking lifts for residential projects.

#### Options:

1. **Maintain existing regulations.**
2. **Clarify existing code to match past practice** of allowing shared use parking reductions with a parking study and lifts for residential projects
  - a. **Add New Shared Parking Provision.** The updated Zoning Code could allow multiple land uses on a single parcel or development site to use shared parking facilities when operations for the land uses are not normally conducted during the same hours, or when hours of peak use differ. Santa Cruz County allows reductions for shared parking with the preparation of a parking study demonstrating compliance with criteria required for approval. See Santa Cruz County Code Section 13.10.553: <http://www.codepublishing.com/ca/santacruzcounty/html/santacruzcounty13/santacruzcounty1310.html>).
  - b. **Add new parking lift provisions.** The updated Zoning Code could specifically allow for elevator-like mechanical system to stack parking spaces in a vertical configuration for specific land uses (e.g. residential, hotel valet, etc). Many cities are incorporating such a provision into their zoning codes to allow for a more efficient use of structured parking areas. For example, Walnut Creek allows for mechanical

lift spaces up to 20 percent of the total required spaces subject to special design standards. See Walnut Creek Zoning Code Section 10-2.3.204.D.4:

<http://www.codepublishing.com/ca/walnutcreek/html/WalnutCreek10/WalnutCreek1002C.html>)

## D. Garages

Single family homes 1,500 square feet or more, must provide at least one “covered” parking space. During the stakeholder interviews staff received comments that this requirement should be revisited, allowing only garages to qualify as a covered spaces (no carports) or eliminating the covered space requirement altogether.

### Options:

1. **Maintain existing regulations.**
2. **Add design standards for carports.** Continue to require at least one covered parking space for homes 1,500 square feet or more. Covered parking may be provided in a garage or carport. Design standards for carports would be added.
3. **Limit covered spaces to garages only.** Specify that a carport may not satisfy the covered parking requirement.
4. **Eliminate covered parking requirement.** Remove the requirement for covered parking spaces for single-family homes.

### Issue 6: Historic Preservation

During the General Plan Update process, many residents expressed the desire to improve Capitola’s historic preservation regulations. In particular, residents identified the need to adopt and maintain a complete list of local historic resources, adopt clear standards for including properties on this list, and establish a procedure and criteria for the City to approve or deny modifications to historic resources. City staff received similar comments during the stakeholder interviews for the zoning code update.

The General Plan includes Action LU-2.3 to develop a historic preservation program to enhance and protect Capitola’s historic resources. This program, along with an updated inventory of historic resources, will be developed following completion of the zoning code update process.

At a minimum, the updated Zoning Code will include new provisions to address the issues raised during the General Plan Update and Stakeholder Interviews. Staff anticipates a new historic preservation chapter in the Zoning Code that addresses the following topics:

- A. **Procedures to identify historic resources.** Until an official historic inventory is adopted, the zoning code update will specify the required procedure for review of potentially historic resources which includes completion of a Primary Record Form to evaluate whether a structure is eligible to be included on the National Register of Historic Places, the California Register of Historic Resources, and/or the City’s Register of Historic Features.



- B. Improve criteria to identify historic resources.** Chapter 17.87 describes the process for designating properties on the local register of historic features. To be identified as a historic feature, the potential historic feature must evidence one or more of ten identified qualities. The current qualifications are wide reaching and should be revised to more closely follow CEQA Guidelines and criteria for listing on the California Register of historic properties, as done in the City of Carmel. See Carmel Zoning Code Chapter 17.32: <http://www.codepublishing.com/ca/carmel.html>
- C. Add Procedures and Review Criteria for projects which involve potentially significant historic resources.** Currently, a Conditional Use Permit is required for alterations to historic structures based on findings that the alteration will not be “significantly detrimental” to the structure or that denial would result in substantial hardship for the applicant. The code does not, however, include review criteria for alterations to historic structures. The code will be updated to specify that all proposals to alter historic resources shall be reviewed for compliance with the Secretary of Interior Standards. In addition, the process can be updated to include different levels of review depending on the nature of the alteration. In Carmel, there are different procedures for “minor” and “major” alterations to historic resources.
- D. Criteria to approve demolition of a historic resource.** Zoning Codes also typically include special findings required for the approval of the demolition of a historic resource.
- E. Incentives for historic preservation.** Possible incentives include Mills Act contracts, fee reductions, federal tax credits for commercial properties, increased flexibility for modifications to nonconformities, exceptions on development standards (see Issue 8.A Option 5), and exceptions to non-conforming standards. See Santa Cruz 24.12.445 for example of allowed variation to development standards to promote historic preservation: <http://www.codepublishing.com/ca/santacruz/>

Other options to address historic preservation in the updated Zoning Code are provided below.

**Options:**

- 1. Establish a Historic Resources Board.** Many communities with historic resources establish a historic resources board or commission to assist with historic preservation activities. See Carmel Chapter 17.32 and Pacific Grove Section 23.76.021 :  
<http://www.codepublishing.com/ca/carmelbythesea/html/carmel17/Carmel1732.html>  
<http://www.codepublishing.com/CA/pacificgrove/html/PacificGrove23/PacificGrove2376.html>
- The roles and responsibilities of the historic resources board vary in different communities. Common functions include determining if modifications to a historic resource are consistent with the Secretary of Interior’s Standards, advising on designation of historic features, advising on impacts to historic resources under CEQA, and advising the Planning Commission and City Council on other matters pertaining to historic preservation.
- 2. Establish a new Historic Preservation Overlay Zone.** Capitola could establish a new historic preservation overlay zone to apply to existing National Register Historic Districts (Old Riverview, Rispin, Six Sisters and Lawn Way, Venetian Court.). Properties within this

overlay could be subject to special permit requirements, design standards, and incentives for preservation. See City of Monterey Section 38-75:

<http://www.codepublishing.com/ca/monterey/>

3. **Establish new enforcement and penalty provisions.** The updated Zoning Code could strengthen enforcement and penalty provisions. Pacific Grove, for example, establishing financial penalties and development limitations on structures in violation of the City's historic preservation ordinance (Pacific Grove Zoning Code Section 23.76.130).
4. **Establish new maintenance and upkeep provisions.** Capitola could include language specifically requiring adequate maintenance and upkeep of historic resources to prevent demolition by neglect. For example, see Los Gatos Zoning Code Section 29.80.315: <http://www.municode.com/services/mcsgateway.asp?sid=5&pid=11760>

## ISSUE 7: SIGNS

### A. Threshold for Review

The existing sign ordinance requires that the Planning Commission review all new signs unless the sign replaces an existing sign that is substantially the same or has been approved through a Master Sign Program. During meetings with commercial property owners and businesses, stakeholders expressed how the current level of review is a disincentive to businesses. The review process costs business owners approximately \$700. Stakeholders expressed a preference for a code with stricter standards subject to staff-level review, with the option of Planning Commission review if the business chose to go beyond the established standards.

#### Options:

1. **Maintain existing regulations.**
2. **Allow staff-level review with new standards.** Revise sign standards to include new, well-defined and well-illustrated design standards that create a framework that would allow compliant signs to be reviewed by staff and an option for Planning Commission review for signs that go beyond the established standards. In this option, new maximum limits are established. Signs can be approved administratively within an over-the-counter permit. Carmel-by-the-Sea is an example of staff-level approval of signs subject to clear standards, with the ability of the Planning Commission to approve signs that do comply with these standards. See Carmel Zoning Code Chapter 17.40: <http://www.codepublishing.com/ca/carmel.html>.

Sign standards for Downtown Redwood City are another example of more detailed sign design standards:

<http://www.redwoodcity.org/phed/planning/precise/FINAL-DTPP/DTPP-Downloads/17%20Signage%20Regulations.pdf>

### B. Tailored Standards

Commercial areas in Capitola include regional commercial, neighborhood commercial, and the central Village. The character, scale, and visibility in the different areas varies tremendously. The existing sign ordinance establishes the same criteria for signs in all commercial areas, with the exception of sidewalk signs in the Village. The sign code could be modified so that standards are tailored to the unique character and constraints of different areas in the city.

**Options:**

1. **Maintain existing regulations for all commercial areas.**
2. **Create tailored standards for different commercial areas.** Certain sign standards could be adjusted to address the unique issues in different commercial areas. Tailored standards could address types of permitted signs, maximum sign area, dimensions, location and placement, illumination, materials, and other issues. The Livermore Development Code, beginning in Section 4.06.160, is an example of this approach:  
<http://www.codepublishing.com/ca/livermore.html>.

The general desired signage character for different districts in Capitola could be as follows:

- Village: Pedestrian oriented signs, village scale
- Neighborhood Commercial: Neighborhood-scale signs serving pedestrians and vehicles
- 41<sup>st</sup> Avenue: Larger-scale signs that are auto-oriented to support the corridor as a regional shopping destination.
- Auto Plaza Drive: Unique to the use (auto-dealers) and address visibility challenges
- Industrial Zone (Kennedy Drive): More industrial design aesthetic and flexibility of type and materials.

**C. Monument Signs**

The code currently allows one monument sign per building frontage with a maximum of four tenants named on a monument sign. A second monument sign is allowed for properties on a corner lot. For a large plaza such as King's Plaza on 41<sup>st</sup> Avenue, these limits are problematic. The property has over 800 linear feet of frontage on 41<sup>st</sup> Avenue and tenant visibility is challenged due to the majority of tenant spaces being setback on the lot. Under the current code, if Kings Plaza were simply divided into multiple parcels, as the Capitola Mall is, the owners would be allowed more signs simply by virtue of carving the property into multiple lots. This mechanism of regulating signs seems to offer an incentive to carve commercial property into smaller lots, which is likely contrary to the City's long term interest, particularly in the CC zoning District.

**Options:**

1. **Maintain existing regulations.**
2. **Create a new limit for monument signs based on linear frontage along a prime commercial street.**
3. **Create an allowance for more than 4 tenants per monument sign.**
4. **Update Master Sign Plan to clarify discretion in monument signs based on lot size, number of tenants, and commercial corridor frontage.**

**Issue 8: Non-Conforming Uses**

Chapter 17.72 of the existing zoning code outlines the regulations for non-conforming activities (uses) and non-conforming structures. The stakeholder groups identified room for improvement

on three items in this section: calculation of structural alterations, treatment of historic structures, and amortization of non-conforming in the R-1 zoning district.

### A. Calculation of Structural Alterations

The methodology prescribed within the code for permissible structural alterations of non-conforming structures (17.72.070) was questioned during stakeholder outreach sessions. The code states:

*“at the time application for a structural alteration is made, the building official shall determine the cost at prevailing contractor rates of the total work of the improvements involved, excluding permit costs, landscaping cost and architectural costs. If that cost, added to the cost or other work involving structural alterations, commenced in the preceding five years, exceeds eighty percent of the present fair market value of the structure (as it would be without any of the structural alterations), the proposed structural alterations may not be made.”*

Members of the architect/planner stakeholder group expressed a desire for improved transparency in the process to determine the value of alterations. Others cited concerns with using building valuation as the basis for determining allowable alterations to non-conforming structures.

From an administration perspective, the current process of limiting alterations to non-conforming structures on a valuation basis is unclear, inefficient, and is a frequent source of disagreement between applicants and staff. Applicants often challenge estimates developed by staff which exceed 80% and submit lower estimates prepared by their contractors. There have also been circumstances where applicants receive approval to alter a non-conforming structure below the 80% valuation threshold, but then discover during construction that additional alterations are necessary which result in cumulative alterations exceeding the 80% threshold. This circumstance places staff and City decision-makers in the difficult position of either allowing a non-conforming structure to be altered beyond the 80% code limitation, or requiring the property owner to stop construction and restart the permitting process with a conforming project.

The local resident stakeholder group also expressed concerns regarding the impact this regulation has on property owners maintaining existing non-conforming and/or historic homes. The current zoning code was adopted in 1975. Many of the homes build prior to 1975 are non-conforming structures with setback, height, parking, or floor area ratios that do not comply with current development standards. The regulations do not allow homeowners to update their home beyond 80% of the current value. Stakeholders stated that this disincentivizes homeowners to reinvest into non-conforming properties and is counterintuitive to Capitola’s historic preservation goals.

#### Options:

1. **Maintain the existing 80 percent building valuation maximum of present fair market value.**
2. **Maintain valuation cap but allow the Planning Commission to authorize additional alterations if specific findings can be made.**
3. **Remove valuation cap for structural alterations to non-conforming structures.** In this option, all non-conforming structures could be maintained and updated, provided that the

alterations do not create a greater degree of non-conformity, or require that the alteration increased the level of conformity (but not require the new structure to eliminate all non-conforming issues). Any addition to a non-conforming structure would be required comply with all development standards of the zone.

4. **Change building valuation cap to a percentage of square footage calculation.** Under this approach, alterations to non-conforming structures would be limited based on how much of the existing structure is modified. For example, the new code could limit alterations to non-conforming structures to 80% of the existing square-footage. Using a percent of square footage approach would be easy to understand and administer and would significantly reduce disagreements over valuation calculations, while still limiting the degree of allowable modifications.
5. **Maintain the existing 80% threshold with new exception for historic resources.** In this option the 80% maximum of present fair market value would be maintained. An exception for historic structures would be added to allow historic structures to be updated. Any addition to a historic structure must comply with all development standards of the zone.

#### **B. Non-conforming activities and structures on improved R-1 parcels.**

The code includes an amortization period for non-conforming activities in the R-1 zones, in which all non-conforming activities must be discontinued on June 26, 2019 or fifty years from the date the activity first became nonconforming, whichever is later, except as follows:

1. Duplex Activity. Nonconforming duplex activities may continue indefinitely but the structures cannot be enlarged.
2. Residential Projects with More Than Two Units. Owners of parcels having more than two dwelling units which are nonconforming only because they exceed the current density standard may apply to the city council for one or more extensions of the fifty-year amortization period. The city council shall only grant an extension if able to make findings that:
  - a. in this particular situation, the appearance, condition and management of the property is such that the property is not greatly detrimental to the single-family residential character of the neighborhood in which it is located;
  - b. the extension is necessary in order to prevent a major economic loss to the property owner and to lessen deterioration;
  - c. and that all reasonable conditions have been imposed for the purpose of repairing dilapidation and bringing, or keeping, the property up to neighborhood standards.

Extensions granted under this section shall be at least fifty years from the date the application is granted.

There are two types of non-conforming uses in single-family residential neighborhoods: multi-family residential uses (more than 2 units) and non-residential uses (commercial, light industrial, etc). It is anticipated that non-residential uses in single-family zones will continue to be subject to the sunset clause; therefore, issues described below are focused on existing non-conforming multi-family uses.

### Multi-Family Uses in Single-Family Zones

According to county records, there are 77 parcels with more than two dwelling units in the R-1 zoning district which are subject to the sunset clause, and must either discontinue the use by June 26, 2019 or apply for an extension subject to the findings listed above. This issue has the potential to impact many Capitola residents and multifamily property owners and could represent a costly and time intensive enforcement challenge for the City.

Any modification to the existing ordinance will have an impact on many Capitola's residents, including occupants of the multi-family dwellings and the surrounding neighbors. The multi-family dwellings that exist in the R-1 provide housing opportunities which are typically more affordable than a single-family home, so these units fill a housing need not typically available in single-family neighborhoods. The negative impacts of these dwellings include increased demand for on-street parking, incompatible hard-scape in front yards for parking in place of typical landscaping, incompatible design, and noise.

During public outreach, staff heard specific concerns from residents of the northern Jewel Box area around 45<sup>th</sup>-47<sup>th</sup> Streets about the concentration of existing non-conforming four-plexes in their neighborhoods. Although other Capitola neighborhoods, such as Depot Hill and the Upper Village, also have non-conforming multi-family uses, there does not appear to be as much concern about their continuation in these areas.

Due to specific concerns about four-plexes in the northern Jewel Box area, staff will host a public workshop to collect input on the matter prior to requesting direction from the Planning Commission. The workshop will be organized to collect information from attendees on their perception of the issue and viable options for future implementation. Staff will present an update to the Planning Commission and City Council after the public workshop.

#### **Options:**

1. **Maintain existing sunset clause and opportunity to apply for extension.**
2. **Modify regulations to allow non-conforming multi-family uses to remain throughout the City, but not intensify.** This approach could be applied citywide with appropriate findings or only to specific areas.
3. **Modify regulations to allow non-conforming multi-family uses to remain in targeted areas of the City.** Under this option, a sunset clause could be retained for areas like the northern Jewel Box neighborhood, but would be eliminated in areas where multi-family uses have had fewer compatibility issues.
4. **Rezone areas with existing non-conforming multi-family uses to a multi-family zone.** This approach could be applied citywide or only to specific areas.
5. **Create an incentive program to allow participating non-conforming property owners to retain their uses subject to providing specified public benefits.** For example, a program could be established to allow property owners to continue non-conforming multi-family uses if they provide guaranteed affordable housing, make significant investments in the structures which improve appearance and function, invest in neighborhood improvements (landscaping, parking, etc.) and/or reduce the degree of non-conformity (e.g., reduce a 4-plex to a 3-plex or a duplex).

### **Issue 9: Secondary Dwelling Units**

Secondary dwelling units are currently allowed on 5,000 square-foot or larger lots in the R-1 zoning district. Attached secondary dwelling units and detached, 1-story secondary dwelling units may be approved through an administrative permit process, provided they comply with stated size limitations. Detached, 2-story secondary dwelling units or oversized units must be considered by the Planning Commission.

Staff has heard conflicting sentiments regarding secondary dwelling units. Many felt development of more secondary dwelling units should be encouraged because they contribute to the City's affordable housing stock and provide property owners with a much needed revenue source to afford Capitola's high real estate costs.

Conversely, others expressed concern about allowing more secondary dwelling units in single-family neighborhoods due to increased parking demands, loss of privacy, and noise.

#### **Options:**

1. **Maintain existing code allowances/limitations for secondary dwelling units.**
2. **Amend the code to encourage development of additional secondary dwelling units.** If this option is selected, the following changes could be considered:
  - a. Decrease the minimum lot size requirement for secondary dwelling units;
  - b. Increase the threshold which triggers the need for Planning Commission review;
  - c. Allow all secondary dwelling units to be approved through an administrative process;
  - d. Eliminate the current residency requirement and allow both the primary and secondary dwellings to be rented.
3. **Amend the code to encourage development of additional secondary dwelling units in specific areas of the City only.** Those areas could be chosen based on criteria which could include: availability of on-street parking, existing densities, land use adjacencies, etc.

### **ISSUE 10: Permits and Approvals**

Capitola's zoning code currently identifies over twenty different types of permits and approvals, such as use permits, design permits, and variances. Staff expects that most of these will remain unchanged in the updated zoning code. However, there is the opportunity to simplify, clarify, and generally improve the types of permits required. In particular, using more general types of permits for a range of specific land use actions could help simplify the code for staff and applicants. There may also be the need for one or more new permits to address certain types of approvals or issues that are not addressed well in the existing zoning code.

#### **Options:**

1. **No change to existing permits.**
2. **Modify permits.** With this option staff will look for opportunities to combine, delete, and add permits in the zoning code to better meet the city's needs. Possible changes include the following:

- a) **Create a new Administrative Permit.** This new permit would be used for a wide range of existing, ministerial staff-level actions. It could be used as a general replacement for existing fence permits, temporary sign permits, approvals of temporary sidewalk/parking lot sales, and temporary storage approvals.
- b) **Create a new Minor Use Permit.** This new permit would be similar to a Conditional Use Permit except that it would be approved by Community Development Director. Notice would be mailed to neighbors prior to final action by Community Development Director and decisions could be appealed to Planning Commission. The Director could also choose to refer applications to Planning Commission for decision. A Minor Use Permit could be a good middle ground for uses that shouldn't be allowed by-right, but that also generally don't need to go the Planning Commission for a public hearing and approval, such as a home occupancy permit and transient occupancy permits.
- c) **Create a New Substantial Conformance Process.** The zoning code currently requires applicants to submit a new application if they wish to make any changes to an approved permit – even if the change is very minor in nature. Under this option, a substantial conformance process would be developed to allow administrative approval of specified minor alterations while still requiring Planning Commission consideration of more substantive changes.

The updated zoning code will contain a table summarizing all types of permits and approves and the review authority for each.

### **Issue 11: Architecture and Site Review**

During stakeholder interviews, staff received input from various groups on their experience with Architecture and Site Review. These groups provided a wide range of feedback, addressing the roles and responsibilities of the Architecture and Site Review Committee, the composition of the Committee, the timing of application review, and the types of projects subject to review.

#### **A. Authority of Architecture and Site Review Committee**

The recent applicant stakeholder group explained that they found the process confusing due to the name of the committee. They were surprised that a project first “passed” Architecture and Site review but then was met by a Planning Commission with a different perspective on the design. The local resident stakeholder committee suggested that the board be empowered to approve or deny applications for minor additions or modifications without the need for subsequent Planning Commission approval. This perspective was shared by the architecture/planner stakeholder group as well.

#### **Options:**

1. **Maintain existing authority of Architecture and Site Committee.**
2. **Modify existing role of the Architecture and Site Committee.** Authorize the Architecture and Site Committee to approve or deny design permit applications. Thresholds may be established for the projects that require Architecture and Site Committee approval rather than Planning Commission approval. Under this approach, decisions rendered by the Committee could be appealed to the Planning Commission.
3. **Eliminate the Architecture and Site Committee.** Three of the six members of the Committee are City staff. The project planner could work with these staff members and outside experts to address project design issues without the need for a Committee hearing.



## B. Timing of Design Permit Review.

Some stakeholders suggested that the Architecture and Site Review be required as a pre-design meeting. Currently, once a complete application is submitted, the application is reviewed by the Architecture and Site Committee. The Committee reviews the elevations, floor plans, materials board, and site plan during the meeting. The Committee identifies any necessary code violations or design/site planning recommendations. The applicant is given the opportunity to modify the application based on the recommendations prior to review by Planning Commission. A pre-design meeting would create the opportunity to discuss the site, surrounding built and natural environment, and identify issues and opportunities for the future design. This approach could be challenging, however, because many applicants make their first contact with City staff after they have designed their project.

### Options:

1. **Maintain existing timing of Architecture and Site Review.**
2. **Repurpose the committee to be a pre-design committee.** In this option, the committee would meet with an applicant prior to accepting a formal development application. The committee would identify characteristics of the site/neighborhood to guide the future design. Staff would provide guidance on the development requirements for zoning, public works, and building.

## C. Composition of Architecture and Site Committee

Currently, the Architecture and Site Committee is composed of one architect/home designer, one landscape architect, one historian, a City planner, a City public works representative, and a City building representative. The recent applicant stakeholder group found the diverse composition of the committee helpful to receive feedback from a wide range of expertise. The architect/planner stakeholder group had a different perspective and suggested the composition of the Architecture and Site committee be reconsidered to be more design-centric. They suggested the City replace the committee with a staff architect or contract architect to focus on design, site planning, and compatibility. With their credentials, an architect would also be able to assist applicants through sketching suggested revision to design issues. A second suggestion of the architect/planner stakeholder group was to replace the Architecture and Site Committee with an architectural peer review process.

### Options:

1. **Maintain the existing composition of the Architecture and Site Committee.**
2. **Replace the committee with a City Architect.** Under this option, the City would contract an architect to review all development applications, provide design solutions, and make recommendations to staff and the Planning Commission. The downside of this option is that the valuable input of the historian and landscape architect would be eliminated in the review, unless those services are also separately contracted.
3. **Replace committee with an Architectural Peer review committee.** The committee could be replaced with an architectural peer review committee made up of three or more architects. The architectural peer review committee would continue to make a recommendation to the Planning Commission.

4. **Revise committee to add any of the following:** water district staff, sewer district staff, fire district staff, additional architect, and/or a citizen's representative.

## **ISSUE 12: Design Permits**

### **A. When a Design Permit is Required – Commercial Uses**

For all commercial zoning districts (CV, CC, CN, PO, and CR), the zoning code states that architectural and site approval is required to establish and conduct any principally permitted, accessory, and conditional use. The only exception is multi-tenant properties with an approved master use permit. All other new tenant changes must have a design permit regardless of whether or not there are proposed modifications to the exterior of the structure. Design permit are also required for modular housing, solar energy systems, and dish antenna larger than 24 inches.

Prospective business owners look to a zoning code to provide clarity in what is permitted within a zone and to identify the process to receive required permits. During stakeholder interviews, the business owner and commercial property owner groups recommended allowing permitted land uses and clarifying when a permit is required. The current code is unclear and requires interpretation. Both stakeholder groups said that requiring all tenant changes to go before Planning Commission is overly regulatory and has a negative impact on filling vacant commercial sites. Most jurisdictions allow principally permitted uses without a design permit if the new use does not require modifications to the exterior of the structure.

#### **Options:**

1. **Maintain existing thresholds for commercial design permits.**
2. **Require Design Permits only for Exterior Modifications.** With this option, a design permit would be required to establish a new use only with an exterior modification to the structure.

The City of Carmel takes this approach with its Design Review permits ([Carmel Zoning Code Section 17.58.030](#)).

3. **Require Design Permit only for Larger Projects.** Design permit thresholds could be lowered so that fewer types of commercial projects require a Design Permit. This approach could be similar to Santa Cruz, where design permits are required only for new commercial structures and exterior remodel increasing floor area by 25 percent or exceeding a specified dollar value.

See Santa Cruz Zoning Code Section Section 24.08.410:

<http://www.codepublishing.com/ca/santacruz/>

### **B. Design Permit Approval Authority – Commercial Uses.**

Currently, the Planning Commission approves Design Permits for commercial projects. The updated Zoning Code could be modified to allow the Community Development Director to approve certain projects requiring Design Permits.

**Options:**

1. **Maintain existing review authority.**
2. **Delegate limited approval authority to the Director** With this option, the Director would approve more types of commercial projects requiring a Design Permit. For example, the Director could approve:
  - a. Minor repairs, changes and improvement to existing structures which use similar, compatible or upgraded quality building materials.
  - b. Additions not visible from the front façade up to a specified square-footage threshold.
  - c. Expansion of one tenant space into a second tenant space in a multi-tenant building.
  - d. Dish-type antenna greater than 24 inches as specified.
  - e. Accessory structures

**C. When a Design Permit is Required – Residential Uses**

Under the current zoning code, residential projects that require Planning Commission Design Permit approval include:

1. All new residential dwelling unit construction;
2. Upper floor additions;
3. First floor additions that are visible to the general public.
4. First floor additions in excess of 400 square feet and located at the rear of the property;
5. Design permits accompanied by a request for conditional use permit, variance, or minor land division;
6. All design permit applications referred by the community development director or appealed from the community development director/zoning administrator's decision.

During stakeholder interviews, groups voiced different views on the current threshold for residential design permits. One perspective agreed with the current level of review and explained that it results in high quality residential development. A different perspective thought the existing thresholds are too restrictive and that homeowners should be allowed to add onto their homes beyond 400 square feet without the additional oversight and cost to process a design permit through the Planning Commission.

It is common for cities to allow minor visible modifications to single-family homes without design review. The City of Sausalito, for example, requires Design Review for new single-family homes and additions that increase the height of the structure or add 300 square feet or more. Projects below this threshold, even if they are visible, do not require design review. See Sausalito Zoning Code Section 10.54.050: <http://www.ci.sausalito.ca.us/Modules/ShowDocument.aspx?documentid=378>.

**Options:**

1. **Maintain existing thresholds.**
2. **Modify threshold for residential design permits.** The threshold could be revised in multiple ways. Thresholds that could be modified to include:
  - a. Increase existing threshold (greater than 400 square feet) for additions located on the rear of a single family home

- b. Allow first story additions (unlimited) that are located on the back of an existing home and comply with all standards of the code.
- c. Allow minor additions to the front of a building that upgrade the front façade and comply with all standards of the code. Minor additions could include enclosing recessed entrances, enclosing open front porches, and installation of bay windows.

#### **D. Design Permit Approval Authority – Residential Uses.**

Currently, the Planning Commission approves Design Permits for the majority of residential uses as outlined in the previous section C. The Community Development Director/Zoning Administrator is authorized to approve applications for: first floor additions up to 400 square feet not visible to the general public; minor repairs, changes, and improvements to existing structures which use similar, compatible or upgraded quality building materials; and additional accessory structures beyond the single eighty square foot or less is size without plumbing or electrical. The updated Zoning Code could be modified to increase the authority of the Community Development Director within specified limits. For example, the Director could approve residential projects that do not increase the size of an existing structure by more than 10 percent, as is allowed in under “Track One) Design Review in Carmel. See Carmel Zoning Code section 17.58.040: <http://www.codepublishing.com/ca/carmel.html>

##### **Options:**

1. **Maintain existing review authority.**
2. **Delegate increased approval authority to the Director** With this option, the Director would approve more types of residential projects requiring a Design Permit.

#### **E. Considerations for Design Permit Approval**

Within the zoning survey, items of greatest concern in residential areas included: height, size of new homes, neighborhood character, adequate onsite parking, and sustainability (water and energy conservation). For each design permit, the Architecture and Site Committee reviews the design considerations listed in §17.63.090, including traffic circulation, safety, congestion, outdoor advertising, landscaping, site layout, architectural character, historic preservation, drainage, fire safety, advertising, etc. The local resident stakeholder group suggested placing more emphasis on design during the review.

##### **Options:**

1. **Maintain existing architecture and site considerations.**
2. **Maintain the existing architecture and site considerations with additional considerations focused on design**, including massing; height, scale and articulation, neighborhood compatibility; privacy; quality exterior materials; and submittal requirements.
3. **Update design considerations to focus on design rather than including ancillary issues.** In this option, existing ancillary issues would be removed from the criteria and the updated list would focus on design, materials, context, and compatibility. The San Carlos Zoning Code contains an example of design review criteria that focus more on aspects of project design (San Carlos Zoning Code Section 18.29.060 <http://www.codepublishing.com/ca/sancarlos/html/SanCarlos18/SanCarlos1829.html>)

### Issue 13: Planned Development

Capitola's zoning code includes a Planned Development (PD) district that allows for flexibility in permitted uses and development standards on a particularly site or property. The minimum parcel size eligible for PD zoning is four acres, unless the Planning Commission and City Council finds that a smaller property is suitable due to its "unique historical character, topography, land use or landscaping features."

Development standards in each PD district are the same as most similar zoning district unless an exception is granted by the Planning Commission and City Council. Proposed Development in a PD district is subject to a two-step process requiring approval of a preliminary development plan and a general development plan. Currently the Planning Commission reviews both the preliminary and general development plans; the City Council reviews and approves on the general development plan. Establishing a PD district is a legislative act requiring City Council approval.

During stakeholder interviews local architects commented that the PD is a valuable tool to respond to unique site conditions, but that 4 acre minimum is not practical due to scarcity of large properties in Capitola. They also suggested that the City Council review the preliminary as well as general development plan.

In contrast to comments from architects, some Capitola residents have expressed concerns about planned developments and the PD district. They see the PD district as a form of "spot zoning" that allows for development in neighborhoods out of character with surrounding properties.

#### Options:

1. **Maintain existing regulations.**
2. **Reduce or eliminate minimum parcel size requirement.** Reduce the minimum parcel size required to establish a PD district, or eliminate the minimum parcel size requirement entirely. This option would eliminate or establish a new minimum parcel size (possibly 1 or 2 acres). It is typical for there to be some minimum size requirement, so that individual single-family lots cannot be rezoned to PD, for example.
3. **Modify approval process.** Modify the planned development review process so that the City Council reviews the preliminary development plan as well as the general development plan. This change would add an additional step in the process but would increase certainty for applicants and allow the City Council to influence project design earlier in the process.
4. **Eliminate PD.** Eliminate the PD district entirely. To deviate from standards of the applicable zoning district, an applicant would need to receive a variance, a rezone, or some other exception to development standards.

### ISSUE 14: Environmental and Hazard Overlays

Overlay zones establish standards that apply to a property in addition to the standards of the base zoning district. Overlay zones are also referred to as combining districts. Capitola's zoning code contains the following overlay zones and combining districts that relate to environmental resources and hazards:

- Archaeological/Paleontological Resources (APR)
- Automatic Review (AR)

- Coastal Zone (CZ)
- Floodplain (F)
- Geological Hazards (GH)

Chapter 17.95 (Environmentally Sensitive Habitats) also functions like an overlay with unique regulations applying to specific geographic areas.

Figure 1 shows the boundaries of the floodplain, geological hazards, and automatic review overlays. Figure 2 from the LCP shows the Archaeological/Paleontological Resources (APR) and Environmentally Sensitive Habitats areas.

### Options:

1. **Maintain existing overlays and clarify boundaries.** In this option all five of the existing environmental and hazard overlays would be maintained and shown on the zoning map.
2. **Modify existing overlays.** This option would modify existing overlays as described below:
  - **Archaeological/Paleontological Resources (APR).** Eliminate this overlay zone. Continue to require the preparation of an archaeological survey report and mitigation plan for any project which disturbs native soils in an area with a probability of containing archaeological resources. Continue to address issue through CEQA process.
  - **Automatic Review (AR).** Remove this overlay zone as it duplicates current process.
  - **Coastal Zone (CZ).** Maintain this overlay zone as required by State law.
  - **Floodplain (F).** Move existing Chapter 17.50 (Floodplain District) out of the zoning code and remove the floodplain overlay boundaries from the zoning map. Floodplain regulations are administered by the Building Official, not the Community Development Director, and should be located in Title 15 (Buildings and Construction), not the zoning code. The boundaries of this overlay should not be included in the zoning map, as they are based on FIRM maps which are frequently changing, particularly with rising seas.
  - **Geological Hazards (GH).** Eliminate this overlay zone and replace with citywide standards for proposed development in beach areas, bluff and cliff areas, landslides-prone areas, and steep slope areas
  - **Chapter 17.95 (Environmentally Sensitive Habitats).** Map boundaries of these areas as a new overlay zone and maintain existing regulations.
3. **Create a new, consolidated environmental/hazards overlay.** This option would merge the overlays into one new environmental/hazards overlay. The zoning code would state that proposed development within these areas could be subject to additional standards and limitations. The Coastal Zone overlay would remain as a separate overlay. This option could be combined with the creation of new citywide standards that would address geological hazards, flood hazards, sensitive habitat, and archaeological/paleontological resources.

### Issue 15: Visitor-Serving Uses on Depot Hill

The El Salto and Monarch Cove Inn properties in the Escalona Gulch/Depot Hill area are currently zoned Visitor Serving (VS). The zoning code currently specifies uses allowed with a conditional use permit on these two properties. On the El Salto property visitor accommodations (e.g., hotels, inns), food service related to lodging use, and residential uses are allowed with a conditional use permit. On the Monarch Cove Inn property a broader range

of uses is allowed, including special events (e.g., festivals, weddings), commercial recreation establishments, accessory office and retail uses, and other similar visitor-serving uses

Depot Hill residents have expressed concern about existing uses on these properties, and new visitor-serving uses that are currently allowed by the zoning code. Residents are concerned about the permitted intensity of new visitor-accommodation uses and their compatibility with the surrounding single-family neighborhood.

**Options:**

- 1. **Maintain existing permitted uses.**
- 2. **Modify permitted use.** With this option the VS zoning would remain on the El Salto and Monarch Cove Inn properties, but the land uses permitted on the properties would be restricted. For example, uses permitted on the Monarch Cove Inn property could be limited to residential and visitor accommodation uses, with other non-residential commercial uses currently allowed, such as carnivals and circuses, no longer permitted.
- 3. **Limit intensity of visitor accommodation uses.** This option would also maintain the VS zoning on the El Salto and Monarch Cove Inn properties, but would reduce the maximum permitted intensity of hotels and other visitor accommodation uses on the site. This could be accomplished by limiting the square footage of new or existing uses, specifying a maximum number of permitted guest rooms, or reducing the maximum allowable lot coverage on the site. The Coastal Commission would likely have concerns with this option.
- 4. **Rezone to R-1.** A final option is to eliminate the VS zoning that applies to the Monarch Cove Inn and El Salto properties. Currently the properties are subject to VS/R-1 “dual zoning,” meaning that both the R-1 and VS zoning standards apply to the property. If the VS zoning were eliminated, visitor accommodation and related visitor-serving uses (aside from bed and breakfast establishments) would not be allowed on the properties. The Coastal Commission would likely have concerns with this option.

**Issue 16: Height**

During stakeholder interviews, participants expressed a variety of opinions on the maximum permitted building height in Capitola. Residents often want to limit the height of buildings in residential and commercial areas in order to protect the character of residential neighborhoods. Some wish to maintain the existing height limits in the Village in order to maintain the existing Village character. Other stakeholders, particularly architects and property owners, recommend increasing permitted height in certain locations, such as the Village, in order to encourage quality architectural design, renewed investment, and the increased vitality that new development would bring.

In light of this input, the sections below addresses allowed heights in residential neighborhoods, the Village, and for a new Village hotel.

**A. Residential Neighborhoods**

In the R-1 zone the maximum permitted building height is 25 feet, with 27 feet permitted for half-story designs and buildings that use historic design elements. Staff has received comments

Attachment: Issues and Options Report (1116 : Zoning Code Update)

that the 25 feet maximum height limit prevents home designs that would fit well within established neighborhoods. In neighborhoods with larger lots, such as Cliffwood Heights, taller homes may not appear out of place. The existing height standard also does not consider sloping lots and other unique site conditions.

#### Options:

1. **Maintain existing standards.**
2. **Eliminate 27-foot exception.** This option would eliminate the 27-foot height exception by requiring all buildings to meet either a 25-foot or 27-foot height standard.
3. **Allow greater variation based on existing neighborhood character.** This option would allow greater variation in permitted building height based on neighborhood characteristics. There are a number of different ways to achieve this as described in Issue #1.

#### B. Capitola Village

The maximum building height permitted in the Central Village (CV) zone is 27 feet, though the Planning Commission may approve taller buildings for the restoration of a historic building. Critics of this height limit contend that the Village's most treasured buildings are over the current height limit and allowing taller buildings would encourage investment in the Village, enhance vitality, and allow for higher-quality building design. Supporters of the 27 foot height limit suggest that allowing new buildings taller than 27 feet would damage the Village's unique character and charm.

#### Options:

1. **Maintain existing standard.**
2. **Expand exception provisions.** With this option the zoning code could modify the existing exception provision to allow taller buildings in more cases. For example, the Planning Commission could allow taller buildings if it would allow for a superior design or would enable the project to provide a substantial community benefit.
3. **Increase maximum height limit to accommodate 3 stories.** The zoning code could increase the maximum allowed building height to accommodate three stories. This could be accompanied by new standards and findings to ensure taller buildings are compatible with the existing Village character and don't negatively impact adjacent residential areas. Allowing three-story buildings in the Village could increase opportunity for new vertical mixed use development with ground floor retail and housing or office uses above.

#### C. Hotel

General Plan Policy LU-7.5 identifies guiding principles for the design of a new Village hotel, including the following three height-related principles:

- The design of the hotel should respect the scale and character of neighboring structures and enhance Capitola's unique sense of place.
- The maximum height of the hotel should remain below the elevation of the bluff behind. The bluff behind the hotel should remain legible as a green edge with existing mature trees maintained on site.



- The hotel design should minimize impacts to public views of the beach and Village from Depot Hill.

The updated zoning code needs to reflect these guiding principles and establish a height standard for a new Village hotel.

**Options:**

1. **Apply CV Zone Standard to Hotel.** This option would apply the same height standard to the Village hotel that applies to all other properties in the Village. If the maximum permitted height in the CV remains at 27 feet, the hotel could also not exceed 27 feet. However, this option would not be consistent with General Plan goals and Policy LU-7.5.
2. **Establish Performance Standard for Hotel Height.** In zoning codes, performance standards dictate a specific outcome and provide flexibility in how best to achieve the outcome on a case-by-case basis. The Zoning code could establish a performance standard for the Hotel height instead of a numerical standard. This performance standard could be similar to the guiding principle in the General Plan that the maximum height of the hotel should remain below the elevation of the bluff behind and that the bluff behind the hotel should remain legible as a green edge with existing mature trees maintained on site.
3. **Establish a Numerical Standard Unique to Hotel.** The updated zoning code could contain a specific numerical standard for the maximum hotel height. One approach might be to limit building height at the Monterey Avenue frontage to two stories but allow a greater maximum height at the rear of the property as contemplated in the General Plan.

**Issue 17: Floor Area Ratio**

In the R-1 (Single Family) Zoning District, building size is regulated by the relationship of the building to the lot size, a measurement identified as *floor area ratio* (FAR). *Floor area ratio* is defined as the gross floor area of all of the buildings on the lot divided by the net lot area. Municipalities incorporate FAR maximums into the code to control overall size, massing, and scale of a buildings on a lot. The following table identifies the elements included in existing code's FAR calculation.

**Elements included in FAR calculation**

1. Basement in excess of 250 sf, including access staircase
2. Open areas below ceiling beyond sixteen feet in height (phantom floors)
3. Upper floor area greater than four feet in height measured between bottom of the upper floor and top of ceiling (includes garages and carports)
4. For 1 ½ story structures, the stairwell is counted on 1st floor only
5. Windows projecting more than 12 inches from wall
6. Upper floor decks over 150 sf
7. Covered exterior open space in excess of 150 sf including eaves greater than eighteen inches

Attachment: Issues and Options Report (1116 : Zoning Code Update)

During the public outreach, the inclusion of decks, basements, and eaves in the FAR calculation was cited as an opportunity for change and improvement.

### A. Decks

Within the architect, designer, and planner stakeholder group, staff received criticism that the FAR calculation limits articulation of buildings, especially the inclusion of upper floor decks, covered first floor decks beyond 150 sf, and first floor decks beyond 30 inches in height. There were also discussions of how the code lacks guidance on decks within hotels and restaurants.

#### Options:

1. **Maintain existing standards.**
2. **Increase allowance beyond 150 sf.** Update Floor Area calculation to increase the amount of area within covered first story decks, decks beyond 30 inches in height, and second story decks that is not counted toward the floor area calculation. The 150 sf allowance could be doubled to 300 sf.
3. **Add exception for special circumstances.** There are special circumstances in which allowing a second story deck will not have an impact on neighbors or may be an asset to the public. The code could include exceptions for special circumstances to allow larger decks that are not counted toward the floor area.
  - a. **Front Façade.** Privacy issues are typically on the side and back of single family homes. The ordinance could consider increased flexibility for decks on the first and second story front facades to allow for increased articulation while not impacting privacy of neighbors. There are two options for decks on front facades. The first is to increase the allowed deck area (beyond 150 sf) on the front façade of a home. The second option is to remove front façade decks from the calculation entirely by including front story decks and porches within the list of items *not* included in the floor area calculation.
  - b. **Open Space.** There are a number of homes in Capitola that are located adjacent to open space. For example, the homes located along Soquel Creek and ocean front properties. Similar to the prior exception, the code could be revised to either increase the allowed deck area or remove the calculation entirely for decks located on elevations facing open space.
  - c. **Restaurants and Hotels.** Visitor experiences are enhanced when they take in a view. The code currently does not include an exception for decks on hotels or restaurants. The code could be revised to either increase the maximum allowed deck area of restaurants and hotels or remove decks on restaurants and hotels from the floor area calculation entirely.
  - d. **Eliminate decks from FAR formula**

### B. Basements

Stakeholders raised contrasting views on inclusion of basements in the FAR. One perspective is that basements should not be included toward the FAR calculation because they do not influence massing and allow increased living space without adversely affecting community character. The other perspective is that although basements do not increase massing, they do increase living areas and therefore intensify impacts on parking demand. It is worth mentioning that studies have shown that larger new homes generally have fewer inhabitants than smaller new homes. Within the current code, the parking requirement is based on the floor area of the home. Also, removal of basements from the FAR calculation will likely result in larger home sizes with increased sales prices, impacting affordability.

**Options:**

1. **Maintain existing standards.**
2. **Increase existing allowance beyond 250 square feet.**
3. **Remove basements from FAR formula.**

**C. Phantom Floors, Roof Eaves, and Window Projections (Bay Windows)**

The Floor Area Ratio calculation includes phantom floors (all open area below the ceiling or angled walls greater than sixteen feet in height), eaves greater than eighteen inches in length, and bay windows which extend 12 inches or more from the wall. Calculating these features in the FAR is administratively difficult and confusing for applicants. Roof eaves and bay windows can add to the architectural style of the home and are controlled within setback regulations. To simplify the FAR calculation, these elements could be removed.

**Options:**

1. **Maintain existing standards.**
2. **Remove phantom floors from the FAR calculation.**
3. **Remove roof eaves from the FAR calculation.**
4. **Remove window projects from FAR calculation.**
5. **Remove a combination of phantom floors, roof eaves, and/or window projections from the FAR calculation.**

**Issue 18: City Council Appeal of Planning Commission Decision**

The City Council has appealed Planning Commission decisions over the years. In a recent lawsuit, Woody's Group, Inc. v. City of Newport Beach, it was found to be illegal for a City Council member to appeal a Planning Commission when not a "interested party". The court also found that the council erred in allowing the City Council member to sit as adjudicator of his own appeal.

To allow City Council review of Planning Commission decisions, Capitola may adopt a "call-up" ordinance that allows a member of City Council to call-up a recent decision by the Planning Commission. If an application is called-up, the City Council is allowed to review and make a final decision on the application. The ordinance can either require or not require a majority vote of the City Council to call-up an application.

**Options:**

1. **Maintain existing appeal process.**
2. **Add "call-up" procedure without requirement of majority vote by CC to call-up an application.**
3. **Add "call-up" procedure and require majority vote by City Council to call-up an application.**

Issues and Options Matrix		
	Direction	
	PC	CC
ISSUE 1: Protecting the Unique Qualities of Residential Neighborhoods (Page 7) <a href="#">PC review 7/20/2015</a>		
Option 1: Maintain existing R-1 standards for all neighborhoods.		PENDING
Option 2: Introduce tailored development standards for individual residential neighborhood.		
Option 3: Allow case-by-case deviations to R-1 standards.		
<p><b>New Option: Introduce additional standards/exceptions based on lot characteristics and existing development patterns.</b></p> <ul style="list-style-type: none"> <li>• 25 feet height limit</li> <li>• 27 feet height exception for the following circumstances:                             <ul style="list-style-type: none"> <li>○ Addition to historic structures that is designed to match the roof pitch of the historic structure within the area of new addition.</li> <li>○ Lots greater than 6,000 sf in size</li> <li>○ Lots with width 60 feet wide or more.</li> <li>○ Lots on a steep slope. Steep slope is defined as a lot having a slope of 25% or greater.</li> </ul> </li> <li>• Second Story setbacks 15 % of lot width                             <ul style="list-style-type: none"> <li>○ Add exception to second story setback for lots that are 30 feet wide or less.</li> </ul> </li> <li>• Secondary Structure in Rear Yard                             <ul style="list-style-type: none"> <li>○ Decrease rear yard setback from 8 feet to 4 feet.</li> <li>○ Maintain 17.15.140.G “The width of detached garages or carports in the rear yard is limited to twenty-one feet. The height is limited to fifteen feet (nine feet to the top of the wall plate) however the planning commission may approve an exception to allow additional height if necessary to match the architectural style of the existing primary structure.”</li> <li>○ Maintain required 2 foot landscape buffer between driveway and property line.</li> <li>○ Maintain front setback (40 feet), side yard setback (3 feet) and setback from primary structure (3 feet)</li> <li>○ Add statement in residential zoning districts an existing garage located within the required setback areas are legal non-conforming structures that may be updated but the non-conformity may not be expanded.</li> </ul> </li> </ul>	X	

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
ISSUE 2: Maintaining and Enhancing the Village Character (Page 8) <a href="#">PC and CC reviewed 4/30/2015</a>		
<b>Option 1: Maintain existing standards with advisory design guidelines.</b>		
<p><b>Option 2: Establish new building form and character standards.</b> The Zoning Code will establish mandatory site and building standards to maintain and enhance the Village character. These would apply to non-residential and mixed-use development. New standards could address the following design concepts:</p> <ul style="list-style-type: none"> <li>• Maximum setbacks to keep buildings and their entrances close to the sidewalk.</li> <li>• Permitted treatment of setback areas (e.g., plazas and landscaping, no parking)</li> <li>• Minimum building width at street edge (defined as percentage of lot width) to maintain a continuous presence of storefronts.</li> <li>• Buildings oriented towards a public street with a primary entrance directly accessible from the sidewalk.</li> <li>• Maximum length of unarticulated/blank building walls.</li> <li>• Required storefront transparency (percentage clear glass)</li> <li>• Maximum building/storefront width (require larger buildings to be broken down into a pedestrian-scale rhythm with individual building bay widths)</li> <li>• Surface parking location (at rear or side of buildings, not between a building and a street-facing property line).</li> <li>• Frequency and width of driveways crossing sidewalks.</li> <li>• Requirements or incentives for residential front porches.</li> </ul>	X	X
<p><b>Option 3: Incorporate design guidelines as standards in the Zoning Code.</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Incorporate applicable design criteria from the Central Village Design Guidelines into the Zoning Code update.</a></li> </ul>	X	X
<p><b>Option 4: Remove reference to Central Village Design Guidelines.</b></p> <ul style="list-style-type: none"> <li>• <a href="#">This modification would require applicants to follow the development standards in the code without any guidance from the guidelines. The guidelines would be repealed during the zoning code update. The reference could be reintroduced after the City prepared updated design guidelines for the Village</a></li> </ul>	X	X
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
ISSUE 3: Accommodating High-Quality Development on 41 <sup>st</sup> Avenue (Page 10) <a href="#">PC review 5.18.2015</a>		
<b>Option 1: Maintain Existing Regulations.</b>		
<b>Option 2: Increase Parking Flexibility.</b> <ul style="list-style-type: none"> <li>Allow greater commercial parking flexibility through shared parking studies for multi-tenant commercial properties</li> <li>Residential mixed with office space may be considered within shared parking study.</li> <li>Residential mixed with commercial/restaurant/entertainment is problematic due to overlap in demand on parking.</li> </ul>	X	X
<b>Option 3: Create incentives for desired improvements.</b>		
<b>Option 4: Strengthen connection to 41<sup>st</sup> Avenue Design Guidelines.</b>		
<b>Option 5: Streamline Permitting Process.</b> <ul style="list-style-type: none"> <li>Allowing commercial uses to occupy existing commercial spaces up to XXX square-feet without a CUP (limit to be established in draft code)</li> <li>Only requiring a design permit for large commercial uses which involve significant exterior modifications (to be defined in draft code)</li> <li>Create administrative permits and minor use permits</li> </ul>	X	X
<b>Notes from 5.18.2015 Planning Commission meeting:</b> <ul style="list-style-type: none"> <li>Repeal existing 41<sup>st</sup> Ave design guidelines until such time that they can be comprehensively updated. Incorporate applicable design criteria from the 41<sup>st</sup> Ave Design Guidelines into the Zoning Code update.</li> </ul>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
ISSUE 4: Protecting Retail Vitality on 41 <sup>st</sup> Avenue (Page 11) <a href="#">PC review 5.18.2015</a>		
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Add new findings for professional and medical office uses.</b> <ul style="list-style-type: none"> <li>Only partial support</li> <li>New findings for professional and medical office use must be objective and measurable; not nebulous.</li> </ul>	Partial support	X
<b>Option 3: Encourage professional and medical office uses in certain locations.</b> <ul style="list-style-type: none"> <li>Planning Commission supported increase flexibility in office space in general. Directed staff to principally permit office space up to a newly established limit south of Capitola Road and require conditional use permit for new retail conversions to office north of Capitola Road.</li> <li>Support Office on 2<sup>nd</sup> and 3<sup>rd</sup> story as principally permitted without size limitations in all commercial areas.</li> </ul>	X	X
<b>Option 4: Introduce new limitations for professional and medical office uses.</b>		
Issue #5: Parking (Page 12)		
Issue #5A: Number of Required Parking Spaces (Page 13) <a href="#">PC review 5.18.2015</a>		
<b>Option 1: Maintain Existing Requirement.</b>		PENDING
<b>Option 2: Modify Parking Requirements for Certain Land Uses in All Areas.</b>		
<b>Option 3: Create Location-Based Parking Standards.</b> <ul style="list-style-type: none"> <li>The updated Zoning Code will establish location based parking requirements for the different commercial districts within the City, including neighborhood commercial, community commercial, central village, and industrial.</li> <li>The central village parking standards will not change.</li> <li>Single-family residential parking standards will not change.</li> </ul>	X	
<b>Option 4: Allow for reductions with Planning Commission approval.</b> <ul style="list-style-type: none"> <li>The updated Zoning Code will allow for reductions in the number of required parking spaces for multi-tenant commercial developments supported by a parking study. Exclude mixed-use projects that contain residential..</li> <li>All reductions would be approved by Planning Commission after making special findings.</li> <li>Finding that reduction does not result in spillover parking impacts on neighborhoods.</li> </ul>	X	
<b>Option 5: Allow for reductions By-Right.</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue #5: Parking (continued)</b>		
<b>Issue #5B: Village Hotel Parking (Page 15) <a href="#">PC review 5.18.2015</a></b>		PENDING
<b>Option 1: Maintain Existing Requirements</b>		
<b>Option 2: Specific On-Site Parking standard for Village Hotel.</b>		
<b>Option 3: Base Standard on a Parking and Traffic Study prepared for the hotel development project application.</b> <ul style="list-style-type: none"> <li>The number of parking spaces required for the theater hotel site will be determined by a parking and traffic study prepared specifically for the hotel development project application.</li> <li>The site is unique and therefore flexibility is necessary to create a parking demand management plan that works specific to theater site.</li> </ul>	X	
<b>Option 4: Allow Planning Commission and/or City Council to establish parking standards for an individual project based on performance criteria.</b>		
<b>Notes:</b> Aside: PC request for CC to reconsider employee parking program in the City parking facilities to decrease impact on residents during winter months.		
<b>Issue #5: Parking (continued)</b>		
<b>Issue #5C: Parking Efficiency (Page 16) <a href="#">PC review 5.18.2015</a></b>		PENDING
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Clarify existing code to match past practice, including:</b>		
<b>A: Add New Shared Parking Provision.</b> <ul style="list-style-type: none"> <li>The updated Zoning Code will allow multiple land uses on a single parcel or development site to use shared parking facilities when operations for the land uses are not normally conducted during the same hours, or when hours of peak use differ.</li> <li>Excludes residential</li> </ul>	X	
<b>B: Add new parking lift provisions.</b> <ul style="list-style-type: none"> <li>The updated Zoning Code will allow for elevator-like mechanical system to stack parking spaces in a vertical configuration.</li> <li>Lift must be enclosed/not visible from public view.</li> </ul>	X	
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)



Issues and Options Matrix		
	Direction	
	PC	CC
Issue #5D: Garages (Page 17) <a href="#">PC review 5.18.2015</a>		PENDING
Option 1: Maintain existing regulations.		
Option 2: Add design standards for carports. <ul style="list-style-type: none"> <li>• Continue to require at least one covered parking space for homes 1,500 square feet or more. Covered parking may be provided in a garage or carport.</li> <li>• Design standards for carports will be added.</li> <li>• Carport should be the exception with findings to support the exception</li> <li>• Include Carport in FAR calculation.</li> </ul>	X	
Option 3: Limit covered spaces to garages only.		
Option 4: Eliminate covered parking requirement.		
Notes:		
Issue #6: Historic Preservation (Page 17) <a href="#">PC review 5.21.2015</a>		PENDING
Option 1: Establish a Historic Resources Board.		
Option 2: Establish a new Historic Preservation Overlay Zone.		
Option 3: Establish new enforcement and penalty provisions.		
Option 4: Establish new maintenance and upkeep provisions.		
Planning Commission Notes: <ul style="list-style-type: none"> <li>• Incorporate the 5 new provisions identified in the issues and options summary, including                             <ul style="list-style-type: none"> <li>○ Procedures to identify historic resources</li> <li>○ Improve criteria to identify historic resources</li> <li>○ Add procedures and review criteria for projects which involve potentially significant resources.</li> <li>○ Add criteria to approve demolition of a historic resource.</li> <li>○ Add incentives for historic preservation.</li> </ul> </li> <li>• Do not include any of the additional options.</li> <li>• As the new historic preservation ordinance is drafted, have Architectural Historian, Leslie Dill, and local Historian, Frank Perry, review the draft ordinance.</li> </ul>	X	

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 7: Signs</b> (Page 19)		
<b>A. Threshold for Review</b> <a href="#">PC and CC Review 4/30/2015</a>		PENDING
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Allow staff-level review with new standards.</b> <ul style="list-style-type: none"> <li>Revise sign standards to include new, well-defined and well-illustrated design standards that create new maximum allowances within staff-level administrative review. Signs can be approved administratively within an over-the-counter permit.</li> <li>Include an option for Planning Commission review for signs that go beyond the maximum administrative review allowance.</li> <li>Ensure high quality signs within new standards.</li> </ul>	X	X
<b>Notes:</b>		
<b>B. Tailored Standards</b> (Page 19) <a href="#">PC and CC Review 4/30/2015</a>		PENDING
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Create tailored standards for different commercial areas.</b> <ul style="list-style-type: none"> <li>Sign standards will be adjusted to address the unique character of different commercial areas. Tailored standards will include types of permitted signs, maximum sign area, sign dimensions, sign location and placement, illumination, materials, and other place appropriate standards.</li> <li>The general desired signage character for different districts in Capitola could be as follows:               <ul style="list-style-type: none"> <li>Village: Pedestrian oriented signs, village scale</li> <li>Neighborhood Commercial: Neighborhood-scale signs serving pedestrians and vehicles</li> <li>41<sup>st</sup> Avenue: Larger-scale, auto-oriented signs to support corridor as a regional shopping destination.</li> <li>Auto Plaza Drive: Unique to the use (auto-dealers) and address visibility challenges</li> <li>Industrial Zone (Kennedy Drive): More industrial design aesthetic and flexibility of type and materials.</li> </ul> </li> </ul>	X	X
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 7: Signs (continued)</b>		
<b>C. Monument Signs</b> (Page 20) <a href="#">PC and CC Review 4/30/2015</a>		PENDING
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Create a new limit for monument signs based on linear frontage along a prime commercial street.</b>		
<b>Option 3: Create an allowance for more than 4 tenants per monument sign.</b>		
<b>Option 4: Update Master Sign Plan to clarify discretion in monument signs (lot size, # of tenants, and frontage).</b>		
<b>New Option</b> <ul style="list-style-type: none"> <li>• Preference for monument signs to be drafted into tailored standards for each commercial area.</li> <li>• Update to allow digital gas pricing signs.</li> </ul>	X	X
<b>Issue 8: Non-Conforming Uses</b> (Page 20) <a href="#">PC Review 7/20/2015</a>		
<b>A. Calculation of Structural Alterations</b> (Page 21)		PENDING
<b>Option 1: Maintain the existing 80 percent building valuation maximum of present fair market value.</b>		
<b>Option 2: Maintain valuation cap but allow the Planning Commission to authorize additional alterations if specific findings can be made.</b>		
<b>Option 3: Remove valuation cap for structural alterations to non-conforming structures.</b> <ul style="list-style-type: none"> <li>• Non-conforming structures may be rebuilt with the approval of a non-conforming permit issued by the Planning Commission.</li> <li>• To approve a non-conforming permit, the Planning Commission must make a finding that the existing non-conforming structure does not have a negative impact on adjacent properties, the surrounding neighborhood, or the public.</li> <li>• Alterations to non-conforming structure may not increase the degree of non-conformity.</li> <li>• Any addition to a non-conforming structure would be required comply with all development standards of the zone.</li> </ul>	X	
<b>Option 4: Change building valuation cap to a percentage of square footage calculation.</b>		
<b>Option 5: Maintain the existing 80% threshold with new exception for historic resources.</b>		
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 8: Non-Conforming Uses (Continued)</b>		
<b>B. Non-conforming activities and structures on improved R-1 parcels. (Page 22)</b>		PENDING
<b>Option 1: Maintain existing sunset clause and opportunity to apply for extension.</b> <ul style="list-style-type: none"> <li>Require upgrades to mitigate impacts.</li> <li>Extensions are issued for 25 years maximum.</li> <li>Applicant must agree to participate in a future assessment district to mitigate impacts of multifamily.</li> <li>Update code to include that the extension is publicly noticed and notice is sent to neighbor within 300 feet.</li> </ul>	X	
<b>Option 2: Modify regulations to allow non-conforming multi-family uses to remain throughout the City, but not intensify.</b>		
<b>Option 3: Modify regulations to allow non-conforming multi-family uses to remain in targeted areas of the City.</b>		
<b>Option 4: Rezone areas with existing non-conforming multi-family uses to a multi-family zone.</b> <ul style="list-style-type: none"> <li>Rezone condominiums at Opal Cliff East and West to multi-family.</li> <li>Rezone affordable housing development behind Coastal Life Church on Monterey Avenue to multi-family.</li> </ul>	X	
<b>Option 5: Create an incentive program to allow participating non-conforming property owners to retain their uses subject to providing specified public benefits.</b> <ul style="list-style-type: none"> <li>City to work with City Architect to create design solutions to front facades and parking for typical four-plex.</li> </ul>	X	
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 9: Secondary Dwelling Units (Page 24)</b>		PENDING
<b>Option 1: Maintain existing code allowances/limitations for secondary dwelling units.</b>		
<b>Option 2: Amend the code to encourage development of additional secondary dwelling units.</b>		
a. Eliminate the current residency requirement and allow both the primary and secondary dwellings to be rented.	X	
b. Create opportunity for secondary dwelling units above a garage. <ul style="list-style-type: none"> <li>• Must comply with all development standards.</li> <li>• No decreased setbacks for detached garage with second story.</li> <li>• Require approval by Planning Commission</li> </ul>	X	
<b>Option 3: Amend the code to encourage development of additional secondary dwelling units in specific areas of the City only.</b>		
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 10: Permits and Approvals</b> (Page 24) <a href="#">PC and CC review on 4/30/2015</a>		
<b>Option 1: No change to existing permits.</b>		
<b>Option 2: Modify permits.</b> With this option staff will look for opportunities to combine, delete, and add permits in the zoning code to better meet the city’s needs. Possible changes include the following:		
<b>a. Create a new Administrative Permit.</b> <ul style="list-style-type: none"> <li>• Create administrative permit for a wide range of existing, ministerial staff-level actions.</li> <li>• Include: fence permits, temporary sign permits, approvals of temporary sidewalk/parking lot sales, and temporary storage.</li> </ul>	X	X
<b>b. Create a new Minor Use Permit.</b> <ul style="list-style-type: none"> <li>• A new minor use permit will be created similar to a Conditional Use Permit except that it will be approved by Community Development Director.</li> <li>• Notice will be mailed to neighbors prior to final action by Community Development Director and decisions could be appealed to Planning Commission.</li> <li>• The Director could also choose to refer applications to Planning Commission for decision.</li> <li>• Include: home occupancy permit and transient occupancy permits.</li> </ul>	X	X
<b>c. Create a New Substantial Conformance Process.</b> <ul style="list-style-type: none"> <li>• A substantial conformance process will be developed to allow administrative approval of specified minor alterations while still requiring Planning Commission consideration of more substantive changes.</li> </ul>	X	X
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 11: Architecture and Site Review</b> (Page 25) <a href="#">PC review 6/22/2015</a>		
<b>A. Authority of Architecture and Site Review Committee</b> (Page 25)		PENDING
<b>Option 1: Maintain existing authority of Architecture and Site Committee.</b>		
<b>Option 2: Modify existing role of the Architecture and Site Committee.</b>		
<b>Option 3: Eliminate the Architecture and Site Committee.</b> <ul style="list-style-type: none"> <li>• <a href="#">Replace the Arch and Site committee with a preliminary development review committee.</a></li> <li>• <a href="#">Function: review applications and make preliminary recommendations to applicant prior to Planning Commission review.</a></li> </ul>	X	
<b>Notes:</b>		
<b>B. Timing of Design Permit Review</b> (Page 26)		PENDING
<b>Option 1: Maintain existing timing of Architecture and Site Review.</b>	X	
<b>Option 2: Repurpose the committee to be a pre-design committee.</b>		
<b>Notes:</b>		
<b>C. Composition of Architecture and Site Committee</b> (Page 26)		PENDING
<b>Option 1: Maintain the existing composition of the Architecture and Site Committee.</b>		
<b>Option 2: Replace the committee with a City Architect.</b>		
<b>Option 3: Replace committee with an Architectural Peer review committee.</b>		
<b>Option 4: Revise committee as follows:</b> <ul style="list-style-type: none"> <li>• <a href="#">All positions on committee to be either staff or contracted long-term consultant on as-needed basis.</a></li> <li>• <a href="#">Committee to include:</a> <ul style="list-style-type: none"> <li>○ <a href="#">Architect (Contracted Consultant)</a></li> <li>○ <a href="#">Landscape Architect</a></li> <li>○ <a href="#">Architectural Historian (Contracted Consultant)</a></li> <li>○ <a href="#">Staff Planner</a></li> <li>○ <a href="#">Staff Public Works representative</a></li> <li>○ <a href="#">Staff Building representative</a></li> </ul> </li> </ul>	X	
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 12: Design Permits</b> (Page 27) <a href="#">PC and CC review on 4/30/2015</a>		
<b>A. When a Design Permit is Required – Commercial Uses</b> (Page 27)		
<b>Option 1: Maintain existing thresholds.</b>		
<b>Option 2: Require Design Permits only for Exterior Modifications.</b> With this option, a design permit would be required to establish a new use only with an exterior modification to the structure. All other commercial design permit thresholds would remain the same.		
<b>Option 3: Require Design Permit only for Larger Projects.</b>		
<ul style="list-style-type: none"> <li>• <a href="#">Design permit thresholds will be created to allow minor modifications to commercial buildings without requiring review by Arch and Site and Planning Commission.</a></li> </ul>		
<b>Notes:</b>		
<b>B. Design Permit Approval Authority – Commercial Use</b> (Page 27) <a href="#">PC and CC review on 4/30/2015</a>		
<b>Option 1: Maintain existing review authority.</b>		
<b>Option 2: Delegate limited approval authority to the Director.</b>		
<ul style="list-style-type: none"> <li>• <a href="#">The Director will be given the authority to approve the following types of commercial projects:</a> <ul style="list-style-type: none"> <li>○ <a href="#">Minor repairs, changes and improvement to existing structures which use similar, compatible or upgraded quality building materials.</a></li> <li>○ <a href="#">Additions not visible from the front façade up to a specified square-footage threshold.</a></li> <li>○ <a href="#">Expansion of one tenant space into a second tenant space in a multi-tenant building.</a></li> <li>○ <a href="#">Accessory structures including garbage and recycling enclosures.</a></li> </ul> </li> </ul>		
<b>Notes:</b>		
<b>C. When a Design Permit is Required – Residential Uses</b> (Page 28) <a href="#">PC and CC review on 4/30/2015</a>		
<b>Option 1: Maintain existing thresholds.</b>		
<b>Option 2: Modify threshold for residential design permits, as follows:</b>		
<ul style="list-style-type: none"> <li>• <a href="#">Allow first story additions (unlimited) that are located on the back of an existing home and comply with all standards of the code.</a></li> <li>• <a href="#">Allow minor additions to the front of a building that upgrade the front façade and comply with all standards of the code. Minor additions could include enclosing recessed entrances, enclosing open front porches, and installation of bay windows.</a></li> </ul>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)



Issues and Options Matrix		
	Direction	
	PC	CC
<b>D. Design Permit Approval Authority – Residential Use</b> (Page 29) <a href="#">PC and CC review on 4/30/2015</a>		
<b>Option 1: Maintain existing review authority.</b>		
<b>Option 2: Delegate limited approval authority to the Director</b>	X	X
<ul style="list-style-type: none"> <li>Establish new thresholds for administrative approval by Community Development Director</li> </ul>		
<b>Notes:</b>		
<b>Issue 12: Design Permits (continued)</b>		
<b>E. Consideration for Design Permit Approval</b> (Page 29) <a href="#">PC and CC review on 4/30/2015</a>		
<b>Option 1: Maintain existing architecture and site considerations.</b>		
<b>Option 2: Maintain the existing architecture and site considerations with additional considerations focused on design,</b>	X	X
<ul style="list-style-type: none"> <li>Include massing, height, scale, articulation, neighborhood compatibility, privacy, quality exterior materials.</li> </ul>		
<b>Option 3: Update design considerations to focus on design rather than including ancillary issues.</b>		
<b>Notes:</b>		
<b>Issue 13: Planned Development</b> (Page 30) <a href="#">PC review on 6/22/2015</a>		
<b>Option 1: Maintain existing regulations.</b>		
<b>Option 2: Reduce or eliminate minimum parcel size requirement.</b>		
<b>Option 3: Modify approval process.</b>		
<b>Option 4: Eliminate PD.</b>	X	
<ul style="list-style-type: none"> <li>City is largely built out and little opportunity exists for PD.</li> <li>Existing zoning results in more compatible development</li> </ul>		
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
Issue 14: Environmental and Hazard Overlays (Page 30) <a href="#">PC and CC review on 4/30/2015</a>		
Option 1: Maintain existing overlays and clarify boundaries.		
<p><b>Option 2: Modify existing overlays.</b> This option would modify existing overlays as described below:</p> <ul style="list-style-type: none"> <li>• <b>Archaeological/Paleontological Resources (APR).</b> Eliminate this overlay zone. Continue to require the preparation of an archaeological survey report and mitigation plan for any project which disturbs native soils in an area with a probability of containing archaeological resources. Continue to address issue through CEQA process.</li> <li>• <b>Automatic Review (AR).</b> Remove this overlay zone as it duplicates current process.</li> <li>• <b>Coastal Zone (CZ).</b> Maintain this overlay zone as required by State law.</li> <li>• <b>Floodplain (F).</b> Move existing Chapter 17.50 (Floodplain District) out of the zoning code and remove the floodplain overlay boundaries from the zoning map. Floodplain regulations are administered by the Building Official, not the Community Development Director, and should be located in Title 15 (Buildings and Construction), not the zoning code. The boundaries of this overlay should not be included in the zoning map, as they are based on FIRM maps which are frequently changing, particularly with rising seas.</li> <li>• <b>Geological Hazards (GH).</b> Eliminate this overlay zone and replace with citywide standards for proposed development in beach areas, bluff and cliff areas, landslides-prone areas, and steep slope areas</li> <li>• <b>Chapter 17.95 (Environmentally Sensitive Habitats).</b> Map boundaries of these areas as a new overlay zone and maintain existing regulations.</li> </ul>		
<p><b>Option 3: Create a new, consolidated environmental/hazards overlay.</b> This option would merge the overlays into one new environmental/hazards overlay. The zoning code would state that proposed development within these areas could be subject to additional standards and limitations. The Coastal Zone overlay would remain as a separate overlay. This option could be combined with the creation of new citywide standards that would address geological hazards, flood hazards, sensitive habitat, and archaeological/paleontological resources.</p>		
<p><b>Notes:</b> <a href="#">Staff to Simplify the overlays utilizing the best approach.</a> Likely option 2, but top concern is simplicity for applicants and administration.</p>	Hybrid	Hybrid

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 15: Visitor-Serving Uses on Depot Hill (Page 31) <a href="#">PC on 5/21/2015</a></b>		PENDING
<b>Option 1: Maintain existing permitted uses.</b>		
<b>Option 2: Modify permitted use.</b> <ul style="list-style-type: none"> <li>• <a href="#">VS zoning will remain on Monarch Cove Inn property.</a></li> <li>• <a href="#">Land uses to be modified as follows:</a> <ul style="list-style-type: none"> <li>A. <a href="#">Accessory structures and accessory uses appurtenant to any conditionally allowed use;</a></li> <li>B. <a href="#">Hotels, motels, hostels, inns; bed and breakfast lodging;</a></li> <li>C. <a href="#">Food service related to lodging;</a></li> <li>D. <a href="#">Assemblages of people, such as festivals, not exceeding ten days and not involving construction of permanent facilities;</a></li> <li>E. <a href="#">Accessory structures and uses established prior to establishment of main use or structure;</a></li> <li>F. <a href="#">Habitat restoration; habitat interpretive facility;</a></li> <li>G. <a href="#">Live entertainment;</a></li> <li>H. <a href="#">Public paths;</a></li> <li>I. <a href="#">Business establishments that provide commercial places of amusement or recreation, live entertainment, or service of alcoholic beverages and that are located within two hundred feet of the boundary of a residential district;</a></li> <li>J. <a href="#">Weddings;</a></li> <li>K. <a href="#">Business establishments that sell or dispense alcoholic beverages for consumption upon the premises;</a></li> <li>L. <a href="#">Other visitor-serving uses of a similar character, density, and intensity as those listed in this section and determined by the planning commission to be consistent and compatible with the intent of this chapter and the applicable land use plan;</a></li> <li>M. <a href="#">Offices and limited retail use, accessory to visitor-serving uses;</a></li> <li>N. <a href="#">One caretaker unit for the purpose of providing on-site security;</a></li> <li>O. <a href="#">Access roadway;</a></li> <li>P. <a href="#">Residential use by the owners and their family members of up to one unit per parcel on the three parcels, as long as a minimum of six guest bedrooms are available for visitor-serving use within the three parcels;</a></li> <li>Q. <a href="#">Non-family residential use during the off-season months (November through April). (Ord. 886 § 3, 2005)</a></li> <li>R. <a href="#">Add multi-family as a CUP.</a></li> </ul> </li> </ul>	X	
<b>Option 3: Limit intensity of visitor accommodation uses.</b>		
<b>Option 4: Rezone to R-1.</b> <ul style="list-style-type: none"> <li>• <a href="#">Eliminate the VS zoning on the El Salto property and the Automatic Review from the parcels to the East of the El Salto property.</a></li> <li>• <a href="#">The General Plan must be amended to reflect this direction.</a></li> </ul>	X	
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 16: Height</b> (Page 32)		PENDING
<b>A. Residential Neighborhoods</b> (Page 32) <a href="#">PC review on 5/21/2015 and 7/20/2015</a>		
<b>Option 1: Maintain existing standards.</b>		
<b>Option 2: Eliminate 27-foot exception.</b> This option would eliminate the 27-foot height exception by requiring all buildings to meet either a 25-foot or 27-foot height standard.		
<b>Option 3: Allow greater variation based on existing neighborhood character.</b> This option would allow greater variation in permitted building height based on neighborhood characteristics. There are a number of different ways to achieve this as described in Issue #1.		
<p><b>Notes:</b> During the 5/21/2015 meeting, the Planning Commission requested this item be brought back during the future neighborhood character (Issue 1) discussion. The following is the direction provided at 7/20/2015 Planning Commission meeting.</p> <ul style="list-style-type: none"> <li>○ 25 feet height limit</li> <li>○ 27 feet height exception for the following circumstances:                             <ul style="list-style-type: none"> <li>● Addition to historic structures that is designed to match the roof pitch of the historic structure within the area of new addition.</li> <li>● Lots greater than 6,000 sf in size</li> <li>● Lots with width 60 feet wide or more.</li> <li>● Lots on a steep slope. Steep slope is defined as a lot having a slope of 25% or greater.</li> </ul> </li> </ul>	X	
<b>B. Capitola Village</b> (Page 33) <a href="#">PC review on 5/21/2015</a>		
<p><b>Option 1: Maintain existing standard.</b></p> <ul style="list-style-type: none"> <li>● Maintain existing height limit of 27 feet in the Central Village</li> <li>● Include exception for non-habitable space such as elevator and lighthouse example. Current exception §17.81.070.</li> </ul>	X	X
<b>Option 2: Expand exception provisions.</b>		
<b>Option 3: Increase maximum height limit to accommodate 3 stories.</b>		
<b>Notes:</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
Issue 16: Height (continued) <a href="#">PC review on 5/21/2015</a>		PENDING
C. Hotel (Page 33)		
Option 1: Apply CV Zone Standard to Hotel.		
<b>Option 2: Establish Performance Standard for Hotel Height tied to General Plan.</b> <ul style="list-style-type: none"> <li>Future height of hotel must be aligned with the guidance in the General Plan</li> <li>A future hotel on the unique parcel with should not be tied to specific height standards.</li> <li>Flexibility in the code is necessary to allow articulation, stepping, etc.</li> </ul>	X	
Option 3: Establish a Numerical Standard Unique to Hotel.		
Issue 17: Floor Area Ratio (Page 34) <a href="#">PC and CC review on 4/30/2015</a>		PENDING
A. Decks (Page 35)		
Option 1: Maintain existing standards.		
Option 2: Increase allowance beyond 150 sf.		
<b>Option 3: Add exception for special circumstances.</b> <ul style="list-style-type: none"> <li>Support to add exceptions for larger decks in the following circumstances:               <ol style="list-style-type: none"> <li><b>Front Façade.</b> Remove front façade decks from the calculation entirely and list front story decks within the list of items not included in the floor area calculation.</li> <li><b>Open Space.</b> Create an exception for homes that are located adjacent to open space that creates adequate spacing between the home and the next property.                   <ol style="list-style-type: none"> <li>Example, the homes located along Soquel Creek and ocean front properties.</li> <li>Rail corridor open space should not be included in the exception due to the limited width of the corridor and impacts to neighbors.</li> <li>Code could be revised to remove the calculation entirely for decks located on elevations facing open space.</li> </ol> </li> <li><b>Restaurants and Hotels.</b> Revise FAR to remove decks on restaurants and hotels from the floor area calculation. Include decks associated with bar/restaurant toward parking calc.</li> </ol> </li> <li>Acknowledged that deck regulations do not necessarily belong in the FAR standards. Decks should be included in the updated design permit standards and individual neighborhood standards.</li> <li>2<sup>nd</sup> story and roof top decks. Require and administrative permit with size limitation and setback/separation requirements. Applications that go beyond new standards require PC approval.</li> </ul>	X	X

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)

Issues and Options Matrix		
	Direction	
	PC	CC
<b>Issue 17: Floor Area Ratio (Continued)</b> <a href="#">PC and CC direction on 4/30/2015</a>		
<b>B. Basements</b> (Page 35)		PENDING
<b>Option 1: Maintain existing standards.</b>		
<b>Option 2: Increase existing allowance beyond 250 square feet.</b>		
<b>Option 3: Remove basements from FAR formula.</b> <ul style="list-style-type: none"> <li>• <a href="#">Include area of basement in parking requirement.</a></li> <li>• <a href="#">Basements on slopes that have a visible 3<sup>rd</sup> story with potential of “walk-out” door will count toward FAR .</a></li> <li>• <a href="#">Basements that are not visible (located below grade on 4 sides) should not count toward FAR.</a></li> </ul>	X	X
<b>C. Phantom Floors, Roof Eaves, and Window Projections (Bay Windows)</b> (Page 36) <a href="#">PC and CC direction on 4/30/2015</a>		PENDING
<b>Option 1: Maintain existing standards.</b>		
<b>Option 2: Remove phantom floors from the FAR calculation.</b>		
<b>Option 3: Remove roof eaves from the FAR calculation.</b>		
<b>Option 4: Remove window projects from FAR calculation.</b>		
<b>Option 5: Remove a combination of phantom floors, roof eaves, and/or window projections from the FAR calculation.</b>	X	X
<b>Issue 18: City Council Appeal of Planning Commission Decision</b> (Page 36) <a href="#">PC review on 6/22/2015</a>		PENDING
<b>Option 1: Maintain existing appeal process.</b>		
<b>Option 2: Add “call-up” procedure with 2 Council member support requirement to hear a call-up an application.</b> <ul style="list-style-type: none"> <li>• <a href="#">Council member may initiate review of any decision or action of the Planning Commission by giving notice to the City Clerk within appeal period.</a></li> <li>• <a href="#">City Clerk places “call-up” vote on next regularly scheduled meeting.</a></li> <li>• <a href="#">During next regularly scheduled meeting, Council member provides reasoning for “call-up” of Planning Commission decision. 2 Council members must vote in support of hearing “call-up”</a></li> <li>• <a href="#">If supported by 2 members, City Clerk schedules review of Planning Commission decision.</a></li> </ul>	X	
<b>Option 3: Add “call-up” procedure and require majority vote by City Council to call-up an application.</b>		

Attachment: Issues and Option Matrix (1116 : Zoning Code Update)



## CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: Community Development

SUBJECT: Receive presentation regarding 1575 38th Avenue Conceptual Review of 11 Unit Residential Development

**RECOMMENDED ACTION:** Receive presentation, consider 11 unit residential development, and provide applicant with feedback on the proposed concept.

**BACKGROUND:** In 2013 City Council approved a 23 unit senior housing project on this site. Those permits expired on June 27, 2015. Since the time of the original approvals, the property was sold and the new owner has developed an alternative development scenario. On July 10, 2015, the applicant submitted a conceptual review application for an 11 unit multi-family housing development. The development will require a significant investment by the owner. Prior to taking the concept to the next level of architectural and engineering plans, the owner would like to receive feedback from the Planning Commission and City Council on any concerns that should be addressed regarding the site plan, design, and subdivision.

The Planning Commission reviewed the conceptual plans during their September 3, 2015 meeting. The Planning Commission advised the applicant to submit the plan under the current CN (Neighborhood Commercial) zoning designation rather than as a Planned Development. The Planning Commission expressed support for a variance for front and side yard setbacks due to the diversity of land use in close vicinity to the site, the mix of parcel designs within the block, and the transitional nature of the site between residential and commercial land uses. Several Planning Commissioners expressed they would prefer some commercial at the site but understood that a multi-family housing development is conditionally permitted within the zone. Under the CN zoning, the front two properties could convert to commercial uses in the future if adequate parking is provided.

**DISCUSSION:** The proposed 11 unit multi-family development is located in the CN zoning district. The purpose of CN districts is to accommodate, at convenient locations, those limited commercial uses which are necessary to meet frequently occurring basic shopping and service needs of persons residing in adjacent areas and to implement the harmonious intermingling of pedestrian, commercial and residential activities. The CN District purpose statement also recommends the style and scale of development should be consistent with the purpose and the intensity of uses should have a low impact on the neighborhood.

The site is located on the western edge of the city limit along 38<sup>th</sup> Avenue south of Capitola Road. There is a mix of uses surrounding the site. A residential development of single-family homes is located to the west within the unincorporated county. A storage facility is located to the south and small homes that have been converted to business are located to the north. Kings Plaza commercial area is to the east with a theater, grocery store, retail establishments, and restaurants. The surrounding buildings are one to two story structures. The architecture varies

1575 38th Avenue  
September 24, 2015

tremendously from the concrete block of the storage facility to the wood frame single-family homes.

The CN district has flexible development standards. With no specific maximum lot coverage or minimum lot area per unit, density is indirectly controlled by the zoning code requirements for parking, setbacks, height, and open space. The General Plan establishes a maximum Floor Area Ratio (FAR) of 1 for the site.

Development Standards	Existing	Proposed
<b>Use</b>	Prior Salvage Yard/ Currently Vacant	Multi-family 11 units
<b>Is CUP required?</b>		Yes
<b>Height: 27 ft</b>		27'
<b>Lot Area:</b> No specific minimum lot area required except that there shall be sufficient area to satisfy any off-street parking and loading area requirements.		Property: 31,365 sf
		Individual Lots 1,904 sf - 2,767 sf
		Common Area 6,133 sf
		Off-street parking Complies
<b>Lot Coverage:</b> There shall be no specific maximum lot coverage, except as follows: A. Sufficient space shall be provided to satisfy off-street parking and loading area requirements, except that all parking may be provided within a structure. B. Front yard and open space requirements shall be satisfied.		Off-street parking Complies
		Front yard <b>Variance Required</b>
		Open Space Complies
<b>Front Yard Setback:</b> Allow for 15 foot landscape strip.		<b>Variance Required.</b> 10 feet.
<b>Side Yard Setback:</b> 10% of the lot width for the first floor and fifteen percent of the lot width for the second floor.		<b>Variance Required.</b> 0' feet townhome
<b>Rear Yard Setback:</b> 20% of lot depth.		Complies
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>
Dwellings, apartments and condominiums (townhouse) of more than four units, one covered space for each unit, plus one and one-half additional spaces on the site for each dwelling unit. Each regular space must be a minimum of nine feet by eighteen feet. Forty percent of the spaces may be compact spaces of eight feet by sixteen feet.	11 units @ 2.5/unit = 28 spaces total	28 spaces 2 spaces per unit. 6 guest spaces
<b>Landscaping:</b> Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards		Complies



1575 38th Avenue  
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**Variance:** The current concept would require a variance to front yard and side yard setbacks. To grant a variance, findings must be made that there are special circumstances applicable to the subject property and that the variance would not constitute a grant of special privilege.

The project has been designed to create a housing product (townhomes on small lots) that does not fit within the zoning code development standard. The circumstances tied to the small lots are by design preference and not due to the existing conditions of the site. The Planning Commission advised the applicant that findings for the variance could be supported for the site due to the diversity of land use in close vicinity, the mix of parcel designs within the block, and the site location as a transition between residential and commercial uses.

**Planned Development:** Another option is to process the application as a Planned Development (PD). The PD district provides a means for effectuating desirable development, which features variation in siting and development types from those required within the code. Within a PD, the Planning Commission and City Council may allow exceptions to the development standards of the zone upon a finding that "such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development". PD districts are limited to property with a minimum of 4 acres of contiguous land but an exception can be made to the minimum size if the City Council can make findings that the property is suitable as a PD district by virtue of its unique historical character, topography, land use or landscaping features. The property at 1575 38<sup>th</sup> Avenue may be considered due to the transitional nature of the property between residential in the county and commercial within the City of Capitola.

**General Plan:** The General Plan land use designation for the site is Community Commercial (C-C). The C-C designation provides an area for commercial uses primarily serving Capitola residents. Permitted land uses include general retail, personal services, restaurants, offices, and residential uses. The maximum permitted FAR in the C-C designation is 1.0. The proposal is under the maximum with the FAR ranging from 0.7 to 0.87.

**Housing Element:** As part of the Regional Housing Needs Assessment (RHNA), the Association of Monterey Bay Area Governments (AMBAG) determines the housing growth needs by income category for jurisdictions within Santa Cruz and Monterey Counties. The City of Capitola Housing Element includes opportunity sites to identify locations in which the City will be able to meet the RHNA obligations for all income categories. The housing element identifies the subject parcel at 1575 38<sup>th</sup> Avenue as a possible opportunity site for future housing for moderate and above moderate income households. The draft updated Housing Element identifies a need of 26 moderate housing units and 60 above moderate housing units within Capitola. It is likely that 10 of the 11 units will qualify as above moderate housing units. The project will be required to comply with the Inclusionary Housing Ordinance providing one deed restricted unit on site. The required fractional contribution will be credited through a payment of affordable housing in-lieu fees.

**Trees:** There are eight existing redwood trees located on the neighboring property to the south along the shared property line. The proposed turn-around area and Unit B1 are located within five feet of the large trees. Unit A5, A6, A7, and A8 are set back ten feet from the property line. The previous approval considered the redwood trees and included a condition of approval stating "the applicant shall submit a detailed arborist report prior to any grading with recommendations for protection of the redwood trees and the root systems. The recommendations shall be incorporated into the construction documents. An arborist shall be on-site during excavation of the site and construction of the foundation to ensure the redwood

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September 24, 2015

trees are not damages.” During the conceptual review, staff is requesting feedback on the development relative to redwood trees.

**Subdivision Development Standards:** The applicant will include a tentative map within the application to create 11 parcels. The tentative map requires Planning Commission review and City Council approval. The conceptual plan as proposed complies with the subdivision standards except for the request of the private road. The City Council can authorize the private road during the review.

**Within the conceptual review, the applicant and staff are requesting direction from the City Council:**

1. **Does the City Council have a preferred process for the review of the application, specifically whether they should pursue a variance, as recommended by the Planning Commission, or a PD.**
2. **The CN District allows flexibility between commercial and residential uses. Would the City Council prefer that conditions be tied to future development to insure the front two buildings are not restricted to residential use and can easily be modified to commercial?**
3. **Does the City Council have concerns with the proposed design and siteplan of the project? Specifically, are there any concerns with the proximity to trees, the streetscape, or sidewalks?**

FISCAL IMPACT: None

ATTACHMENTS:

1. Conceptual Plans
2. Applicant's Project Overview and Variance Request
3. Previous approval footprint overlay on concept
4. Storm water plans
5. Public Comment Letter

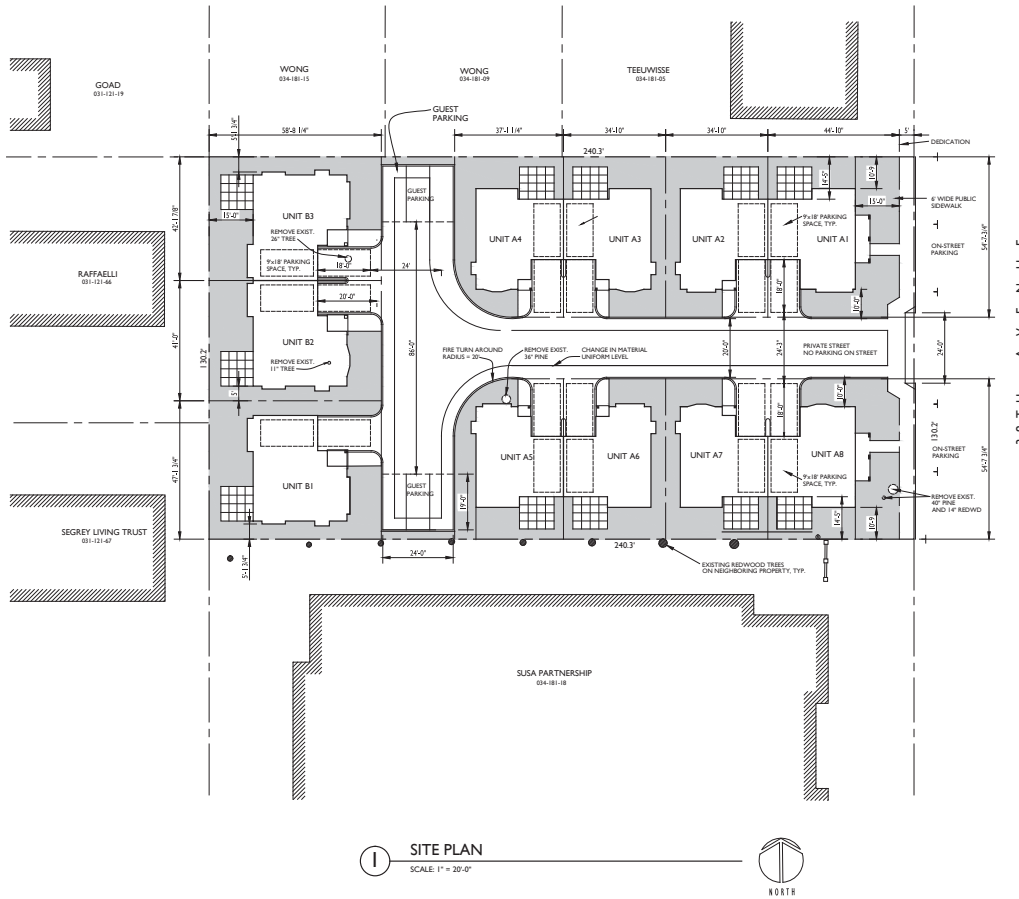
Report Prepared By: Katie Cattan  
Senior Planner



Jamie Goldstein, City Manager

9/18/2015

**SITE PLAN**



**1 SITE PLAN**  
SCALE: 1" = 20'-0"  
NORTH

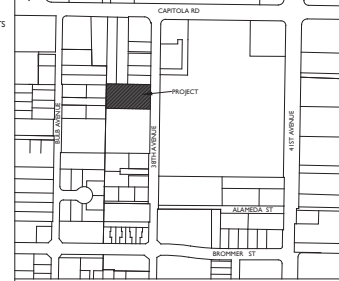
**PROJECT TEAM**

**ARCHITECT:** THACHER AND THOMPSON ARCHITECTS  
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PHONE (831)457-3939  
FAX: (831)426-7609  
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1011 CEDAR STREET  
SANTA CRUZ, CA 95060  
(831)426-3540  
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**LANDSCAPE ARCHITECT:** ELLEN COOPER  
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**VICINITY MAP**



**THACHER & THOMPSON ARCHITECTS**  
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**PROJECT DATA**

**PROPERTY OWNER:** JOE APPENRODT  
4375 CARTOLA ROAD  
CARTOLA, CA 95010  
(831) 465-9190

**PROJECT ADDRESS:** 1575 38TH AVENUE  
CARTOLA, CA 95010

**APN:** 034-181-17

**ZONING:** CN

**PROJECT DESCRIPTION:** MULTIPLE DWELLINGS AND GROUPS OR COMBINATIONS THEREOF

**AREA CALCULATIONS**

**TOTAL SITE AREA:** 31,311 SF GROSS  
**DEDICATION:** 1,172 SF  
**NET LOT AREA:** 30,139 SF

**LOT AREA CALCULATIONS:**

LOT A1: 2,428 SF  
LOT A2: 1,904 SF  
LOT A3: 1,904 SF  
LOT A4: 1,945 SF  
LOT A5: 1,945 SF  
LOT A6: 1,904 SF  
LOT A7: 1,904 SF  
LOT A8: 2,428 SF  
LOT B1: 2,767 SF  
LOT B2: 2,406 SF  
LOT B3: 2,474 SF  
COMMON AREA (STREET): 6,133 SF

**FLOOR AREA CALCULATIONS:**

**UNIT A1 & A8:**  
FIRST FLOOR: 646 SF  
SECOND FLOOR: 823 SF  
TOTAL: 1,469 SF  
GARAGE: 224 SF

**UNIT A2 - A7:**  
FIRST FLOOR: 629 SF  
SECOND FLOOR: 798 SF  
TOTAL: 1,427 SF  
GARAGE: 227 SF

**UNIT B1-B3:**  
FIRST FLOOR: 761 SF  
SECOND FLOOR: 921 SF  
TOTAL: 1,682 SF  
GARAGE: 286 SF

**SHEET INDEX**

**ARCHITECTURAL**  
A1 SITE PLAN AND PROJECT DATA  
A2 A UNIT PLANS AND ELEVATIONS  
A3 A UNIT PLANS AND ELEVATIONS  
A4 B UNIT PLANS AND ELEVATIONS  
A5 STREET ELEVATIONS

**38th AVENUE HOMES**  
1575 38TH AVENUE, CARTOLA, CA

**DRAWING DATE:** APRIL 24, 2015  
**ISSUED TO FACILITATE CONSTRUCTION:** DATE PENDING  
**PROJECT FILE NAME:** APPENRODT\_38H AVES.D

REVISIONS		
No.	DESCRIPTION	DATE



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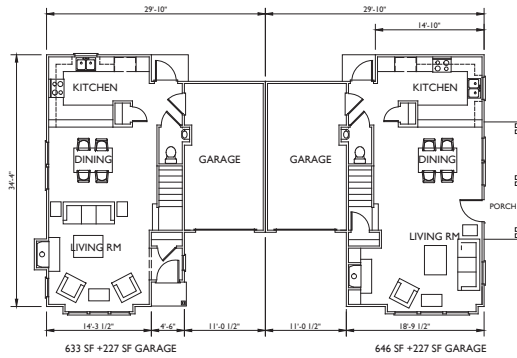
**AI**

**10.A.1**

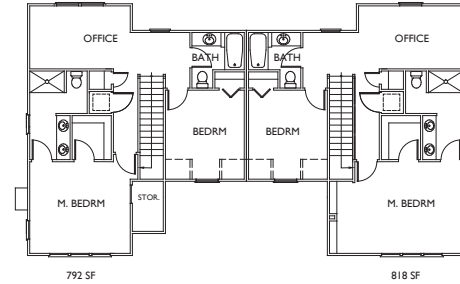


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**38th AVENUE HOMES**  
 1575 38TH AVENUE, CANTILLA, CA  
**DRAWING NAME**



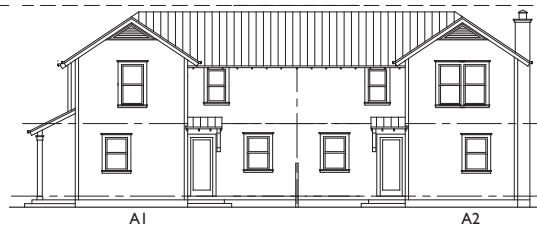
① **A2 & A1 FIRST FLOOR (A7 & A8 SIM)**  
 SCALE: 1/8"=1'-0"



② **A2 & A1 SECOND FLOOR (A7 & A8 SIM)**  
 SCALE: 1/8"=1'-0"



③ **A2 & A1 SOUTH ELEVATION**  
 SCALE: 1/8"=1'-0"



④ **A1 & A2 NORTH ELEVATION**  
 SCALE: 1/8"=1'-0"



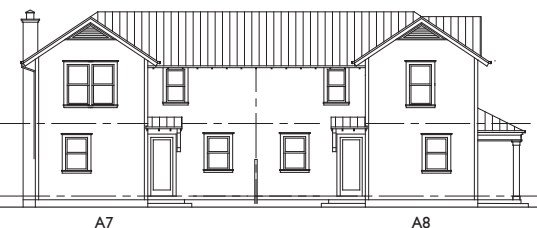
⑤ **A1 EAST ELEVATION**  
 SCALE: 1/8"=1'-0"



⑥ **A2 SIDE ELEVATION**  
 SCALE: 1/8"=1'-0"



⑦ **A8 & A7 NORTH ELEVATION**  
 SCALE: 1/8"=1'-0"



⑧ **A7 & A8 SOUTH ELEVATION**  
 SCALE: 1/8"=1'-0"



⑨ **A8 EAST ELEVATION**  
 SCALE: 1/8"=1'-0"



⑩ **A7 SIDE ELEVATION**  
 SCALE: 1/8"=1'-0"

DRAWING DATE  
 APRIL 24, 2015  
 ISSUED TO FACILITATE  
 CONSTRUCTION  
 DATE PENDING  
 PROJECT FILE NAME:  
 APPEND: 07\_38 AVES.D

REVISIONS		
No.	DESCRIPTION	DATE

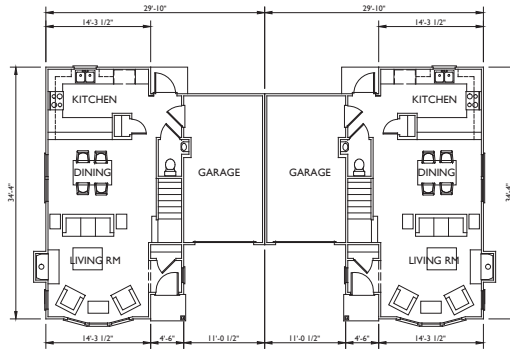


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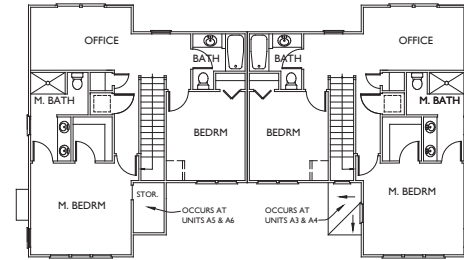


**THACHER & THOMPSON ARCHITECTS**  
 877 CEDAR STREET SUITE 240  
 SANTA CALIZ, CA 95060  
 (931) 427-2919  
 (931) 426-7609 F  
 www.thacher.com

**38th AVENUE HOMES**  
 1575 38TH AVENUE, CANTONIA, CA  
**DRAWING NAME**



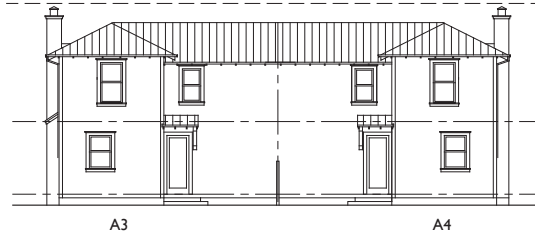
① **A4 & A3 FIRST FLOOR (A5 & A6 SIM.)**  
 SCALE: 1/8"=1'-0"



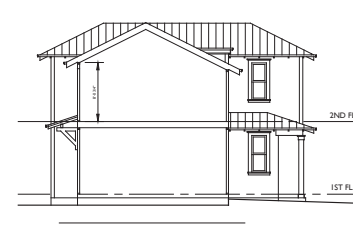
② **A4 & A3 SECOND FLOOR (A5 & A6 SIM.)**  
 SCALE: 1/8"=1'-0"



③ **A4 & A3 SOUTH ELEVATION**  
 SCALE: 1/8"=1'-0"



④ **A3 & A4 NORTH ELEVATION**  
 SCALE: 1/8"=1'-0"



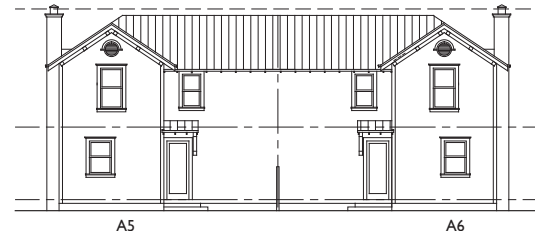
⑤ **SECTION**  
 SCALE: 1/8"=1'-0"



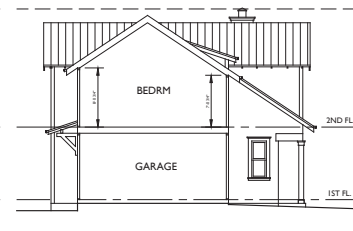
⑥ **A4 SIDE ELEVATION (A3 SIM)**  
 SCALE: 1/8"=1'-0"



⑦ **A6 & A5 NORTH ELEVATION**  
 SCALE: 1/8"=1'-0"



⑧ **A5 & A6 SOUTH ELEVATION**  
 SCALE: 1/8"=1'-0"



⑨ **A2 SECTION**  
 SCALE: 1/8"=1'-0"



⑩ **A6 SIDE ELEVATION (A6 SIM.)**  
 SCALE: 1/8"=1'-0"

DRAWING DATE  
 APRIL 24, 2015  
 ISSUED TO FACILITATE  
 CONSTRUCTION  
 DATE PENDING  
 PROJECT FILE NAME:  
 APPENDIX: 38th AVENUE

REVISIONS		
No.	DESCRIPTION	DATE



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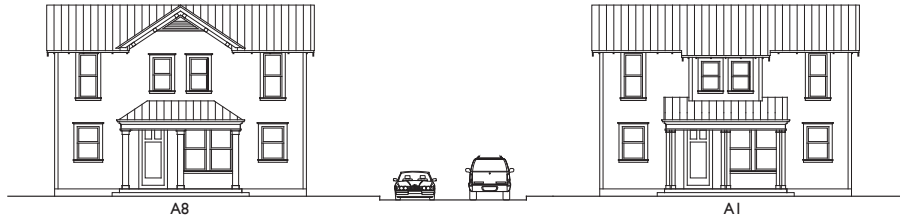
10.A.1

A3





**THACHER & THOMPSON ARCHITECTS**  
 877 CEDAR STREET SUITE 248  
 SAN FRANCISCO, CA 94109  
 (415) 426-7699  
 www.thacher.com



① STREET ELEVATION FROM 38TH  
 SCALE: 1/8"=1'-0"



② STREET ELEVATION  
 SCALE: 1/8"=1'-0"



③ STREET ELEVATION  
 SCALE: 1/8"=1'-0"



④ STREET ELEVATION  
 SCALE: 1/8"=1'-0"

**38th AVENUE HOMES**  
 1575 38TH AVENUE, CA 94024, CA  
**DRAWING NAME**

DRAWING DATE  
 APRIL 24, 2015  
 ISSUED TO FACILITATE  
 CONSTRUCTION  
 DATE PENDING  
 PROJECT FILE NAME  
 APPENKROFT\_38TH AVENUE

REVISIONS		
No.	DESCRIPTION	DATE



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August 20, 2015

## CITY OF CAPITOLA PLANNING COMMISSION CONCEPTUAL REVIEW APPLICATION

Project: 1575 38<sup>th</sup> Avenue  
Applicant: Joe Appenrodt  
Architect: Thacher & Thompson

### Introduction

The site design for this small cluster of houses combines several features we have found to help create healthy neighborhoods. The project's modest two and three bedroom houses front on a new private lane off 38<sup>th</sup> Avenue. Each of the two story houses have front, side, and rear yards. Most of the houses are configured so that the side yard setback on one side is near zero in order to make the most efficient use of open space. The result is a compact neighborhood of single family houses, each on its own lot, and sharing the ownership of the private lane. The zero lot line aspect of the project is similar to a townhouse project in some respects, but the scale and character is closer to a conventional single family house.

### Setting

The surrounding neighborhood has great diversity with a shopping center on the east side of 38<sup>th</sup> Avenue and additional commercial buildings on the west side. On the west side of 38<sup>th</sup> Avenue there is also a broad mix of housing types, including single family houses, duplexes, townhouses, and apartment buildings. The residential neighborhood further to the west is outside the Capitola City limit, but is also a mixed residential neighborhood. The housing is also a mix of rental and owner-occupied properties.



Project: 1575 38<sup>th</sup> Avenue  
Applicant: Joe Appenrodt  
Architect: Thacher & Thompson  
PG.2

This proposal builds on the existing residential qualities on the west side of 38<sup>th</sup> Avenue. The neighboring properties to the north and west are currently improved with houses and this location is very walk-able with good sidewalks and accessibility. It has a 'Walk Score' of 81 which classifies it as *Very Walk-able: 'Most errands can be accomplished on foot'*. This is a good addition to the City's housing supply that, at the same time, will strengthen the neighborhood through new investment in high quality construction and 'complete streets' infrastructure.

There are a number of mature trees on the site and on a neighboring property to the south. Three trees in the middle of the site will be removed as part of the project. Nine trees on the neighboring property will be protected and preserved. An arborist report was prepared for the previously approved project on this site. An up-dated arborist report that specifically responds to the current project will be prepared for the project when the full application is made. This arborist report and recommended mitigations can have a technical review by the City's arborist during that permitting process.

### Planning Context

The Neighborhood Commercial (CN) zoning for this property includes single family residential uses as a principally permit use. (17.24.040.F). Thus, the zoning context includes a vision of a mixed use neighborhood with single family houses among commercial buildings as is the case on 38<sup>th</sup> Avenue. The configuration of the houses and lots for the proposed neighborhood is sometimes called a 'small lot' subdivision. The recently constructed Pearson Court off of 42<sup>nd</sup> Avenue is also an example of a small lot subdivision with small lots fronting on a private lane. These small lot neighborhoods provide qualities associated with home ownership including private back yards, attached garages, and the HOA managed common area is limited to 'road maintenance'. These compact neighborhoods combine the best aspects of single family homes with modest housing in a walkable community. This is the kind of housing that is embraced by Capitola's housing policies.

Unfortunately, Capitola's zoning regulations for the CN district and the general provisions of the Zoning Ordinance do not fit the circumstances of a small lot project perfectly. For instance some rules are appropriate if they are applied to

Project: 1575 38<sup>th</sup> Avenue  
 Applicant: Joe Appenrodt  
 Architect: Thacher & Thompson  
 PG.3

the current property as a whole, while other rules only fit the circumstances when applied to the newly created small lots. But let's start with some of the CN zone district standards that are easily applied:

**No problem:**

- Single family housing is a principal use in the CN zone district.
- The buildings all meet the height limitation
- There is no minimum lot area requirement in the CN zone district
- There is no coverage limitation in the CN zone district
- The required resident parking is provided w/ 11 covered spaces and 11 uncovered spaces

Other standards do not clearly apply solely to the CN district or apply solely to the residential criteria that one would normally use to review a housing project like this one.

**Standards applied:**

- The internal front yard setback for the individual lots is 10'
- The side yards for the first floor of all lots meet the zoning standard of 10% lot width (3.3' to 4.1') for one side. Ten of the lots are configured with a zero setback on one side to create a 'duplex townhouse' style single family residence.
- The rear yard setback of the individual lots would be 20% of the lot depth or  $.2 \times 55 = 11'$  for the A units and  $.2 \times 59 = 11.8'$  for the B units. Thus, all the houses meet their rear yard setback.

The side yard setback between duplex units and internal front yard set backs are the only portion of the project that does not literally meet the zone district standards. After discussing this dilemma with the Capitola planning staff, there appear to be two administrative solutions: a) submitting the project for a rezoning as a Planned Development; or b) processing the project as design permit with a variance to the CN zone district setback requirements. The Planned Development rezoning appears to be unnecessarily involved for this project, when one considers how harmless the exceptions to the side yard requirements will be.

Project: 1575 38<sup>th</sup> Avenue  
Applicant: Joe Appenrodt  
Architect: Thatcher & Thompson  
PG.4

## The Variance

The stated purpose of a variance (17.66.010) is *‘to allow variation from the strict application of [setback requirements] where by reason of the ... location and surroundings... the literal enforcement of the requirements ...would involve practical difficulties, would cause undue hardship unnecessary to carry out the spirit and purpose of [the zoning ordinance], and would deprive such property from privileges enjoyed by similarly situated properties.’*

The location and the existing surroundings for this project include a diverse mix of uses and building patterns well beyond the scope of the CN zone district parameters. The proposed small lot subdivision creates a neighborhood of compact houses that use a zero setback on one side to optimize the size and usefulness of the private yard space. Strict application of the side yard setback would create the unintended hardship of requiring 1,000 square feet of the site to be used for a pointless open space between two blank garage walls.

There are similar properties on the same block of 38<sup>th</sup> Avenue that are configured as houses connected with a zero lot line to the adjoining house. There are eight separate houses, each on its own lot, on the west side of 38<sup>th</sup> Avenue and on the north side of Brommer Street. These houses also have normal front, rear, and one side yards, and also one zero-setback side yard. While these houses are much different in size and character than the current proposal, they have enjoyed the privilege of utilizing a zero side yard setback and it would be improper to deny a similar use of the zero set back in this application as well.





## City of Capitola Storm Water Permit Project Application

All projects must comply with the City's Storm Water Post Construction Requirements (CMC 13.16.090). Complete the following information in order for the Public Works Department to determine the applicable requirements for a project. Once this has been submitted the applicant will be notified and provided guidance on achieving compliance.

**PROJECT ADDRESS:** 1575 38<sup>TH</sup> AVENUE

<b>OWNER:</b> <u>JOE APPENROOT</u>	<b>DESIGNER:</b> <u>BOWMAN &amp; WILLIAMS</u>
Contact Name: <u>MATTHEW THOMPSON</u>	Contact Name: <u>JEFF NARSS</u>
Address: <u>877 CEDAR ST. SUITE 248</u>	Address: <u>1011 CEDAR ST.</u>
City: <u>SANTA CRUZ</u> Zip: <u>95060</u>	City: <u>SANTA CRUZ</u> Zip: <u>95061</u>
Phone: <u>(831) 457-3939</u>	Phone: <u>(831) 426-3560</u>
Fax: <u>(831) 426-7609</u>	Fax: <u>(831) 426-9182</u>
Email: <u>matte@ntarch.com</u>	Email: <u>jeff@bowmanandwilliams.com</u>

**Project Type:**  Residential       Commercial       Industrial

**Project is a:**     New Development     Redevelopment

**Project Description:** SINGLE FAMILY HOME DEVELOPMENT ON FORMER USED BUILDING MATERIAL SITE.

<b>Stormwater Project Information</b>	
▶ When completing this section, consider the entire project site, not separate parcels or development sites within the project area ▶ Impervious Area = structures, pavement, hardscaping – any surface that will not allow water to infiltrate into the ground	
Total Project Site Area	<u>30,138</u> sq. ft.
Amount of existing (pre-project) impervious surface area (e.g., existing buildings, paving, hardscape)	<u>10,578</u> sq. ft.
Amount of replaced impervious surface area (e.g., parking lot replaced by a building)	<u>10,578</u> sq. ft.
Amount of new impervious surface area created (e.g., new building addition and/or patio)	<u>4,104</u> sq. ft.
Total proposed (post-project) impervious surface area	<u>14,682</u> sq. ft.

I hereby affirm that this information is accurate and understand it will be used to determine compliance with the City's Storm Water Post Construction Requirements for this project.

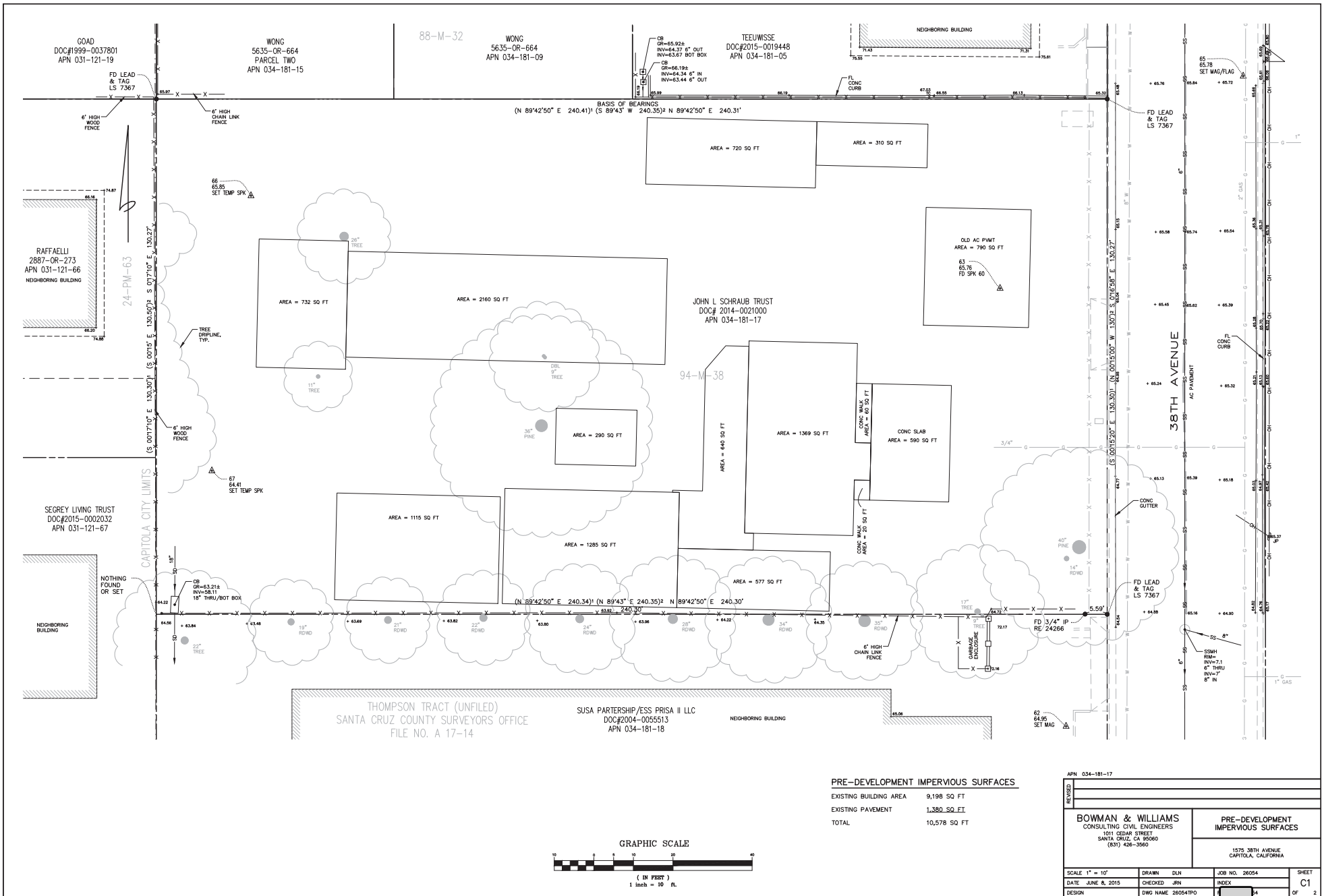
Property Owner or Authorized Agent

JOE APPENROOT  
Print Name

[Signature]  
Signature

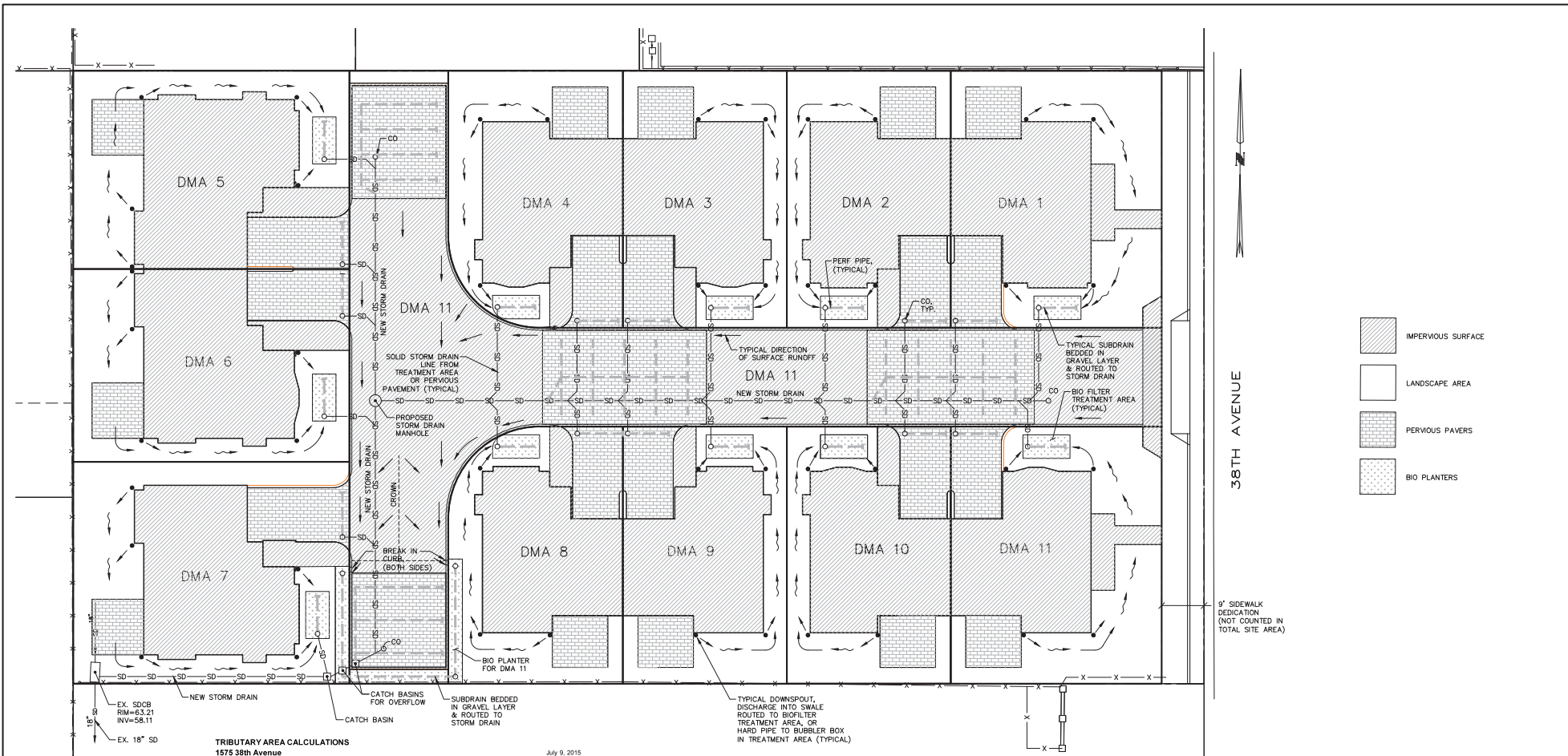
7/9/15  
Date

Attachment: Storm water plans (1183 : 1575 38th Avenue)



Attachment: Storm water plans (1183 : 1575 38th Avenue)

10.A.4



**TRIBUTARY AREA CALCULATIONS**  
 1575 38th Avenue  
 SANTA CRUZ, CA  
 BOWMAN & WILLIAMS FILE: 26054

July 9, 2015

**PROPOSED DEVELOPMENT AREAS (SQUARE FEET)**

DMA	DESCRIPTION	TOTAL AREA	NEW IMPERVIOUS SURFACE AREA (ISA)	LANDSCAPE AREA	PERVIOUS PAVEMENT AREA	EQUIVALENT IMPERVIOUS SURFACE AREA (EISA)	FLOW BASED TREATMENT AREA (4% x ISA) ***
1	LOT 1	2,450	1,014	1,098	338	1,158	41
2	LOT 2	1,904	919	647	338	1,018	37
3	LOT 3	1,904	915	651	338	1,014	37
4	LOT 4	1,906	914	693	339	1,017	37
5	LOT 5	2,474	1,105	944	365	1,296	47
6	LOT 6	2,406	1,160	880	366	1,285	46
7	LOT 7	2,767	1,145	1,229	393	1,307	46
8	LOT 8	1,946	921	687	338	1,024	37
9	LOT 9	1,904	922	646	338	1,020	37
10	LOT 10	1,904	915	651	338	1,014	37
11	LOT 11	2,450	1,007	1,105	338	1,151	40
12	DRIVEWAY	6,083	3,685	111	2,287	3,925	147
Total		30,138	14,662	9,340	6,116		

\* SITE AREA DOES NOT INCLUDE 9' RIGHT OF WAY DEDICATION FOR PUBLIC SIDEWALK

\*\* SITE IS TIER 2 BASED ON TOTAL NEW IMPERVIOUS SURFACE BEING LESS THAN 15,000 SQUARE FEET

\*\*\* STORM WATER TREATMENT IS FLOW BASED DUE TO LOW INFILTRATION RATE OF ONSITE SOILS  
 ONSITE SOILS ARE COMPRISED PRIMARILY OF PINTO LOAM WITH A .06"/hr - .20"/hr INFILTRATION RATE BASED ON NRCS SOIL INFORMATION

**Proposed Treatment Areas (Square Feet)**

DMA	AREA	TREATMENT AREA PROVIDED	TREATMENT AREA REQUIRED	TREATMENT AREA DESCRIPTION
1	LOT 1	50	41	Front Yard Bio Planter
2	LOT 2	50	37	Front Yard Bio Planter
3	LOT 3	50	37	Front Yard Bio Planter
4	LOT 4	48	37	Front Yard Bio Planter
5	LOT 5	50	47	Front Yard Bio Planter
6	LOT 6	50	46	Front Yard Bio Planter
7	LOT 7	50	46	Front Yard Bio Planter
8	LOT 8	48	37	Front Yard Bio Planter
9	LOT 9	50	37	Front Yard Bio Planter
10	LOT 10	50	37	Front Yard Bio Planter
11	LOT 11	50	40	Front Yard Bio Planter
12	DRIVEWAY	217	147	Bio Planter @ Southern end of Turn Around

APH 034-181-17

<b>BOWMAN &amp; WILLIAMS</b> CONSULTING CIVIL ENGINEERS 1011 CEDAR STREET SANTA CRUZ, CA 95060 (573) 426-3560		<b>38th AVENUE HOMES</b> PRELIMINARY STORM WATER CONTROL PLAN  1575 38th AVENUE CAPITOLA, CALIFORNIA	
SCALE 1" = 10'	DRAWN JRN	JOB NO. 26054	SHEET
DATE JULY 9, 2015	CHECKED JRN	INDEX	C2
DESIGN	DWG 26054 Prelim SWCP	0054	of 2

10.A.4

To: Planner Katie Cattan (& Capitola Planning Dept.) Kcattan@Cl.Capitola.CA.US  
 From: "Segrey Living Trust" Don Mosegaard and Kimberly Frey, Trustees of property @ 1530 Bulb Ave.  
 Date: 8/31/15  
 RE: 1575 38<sup>th</sup> Ave #15-112 APN: 034-181-17 Public Hearing 9/3/15 7:00pm

As we are out of state at the bedside of our father, who has advanced stage cancer, we will not be able to attend any of the council meeting regarding this development in the month of September and the first couple weeks of October. Thank you for these considerations. Contacts: donmosegaard@netscape.net 831-234-1709 and secondary # Kim Frey 325-9049

We would like to have our concerns addressed and documented about this development, as written;

1. There is an apparent Rear Set Back from our property line of 15 feet and it is of utmost importance that be adhered to.
2. As stated the building height is 27 feet and would like that height to be adhered to.
3. Preservation of the culvert in the south-west corner of the property, which is next to our lot line. We have two rain downspouts that connect underground to that culvert as told to us when we purchased the house in 1997. We also have a small grading ditch which drains under the fence to the culvert. Also, we would like the planners to take into account that the 1575 property has, at times in the past, had much rain water accumulation and was even marsh-like in places during rainy seasons. As a note, the property next door to the right of 1575 38<sup>th</sup> ave has had to install a sump pump due to water accumulation under that house. Plan well for drainage and please do not build in such a way that too much water will be unintentionally diverted to our property.
4. West Facing Windows: We ask that the duplex's/ house facing our property lines have a minimal of windows (and of small size) looking down upon our property to preserve privacy as much as possible.
5. The tree which are on our property line and some branches hanging over- please preserve the health and viability of these trees by not allowing toxic things to affect the grounds around the trees and judicially and conservatively use of cutting the branches back. Another topic; potential tree which you might be planting near the lot line- We would like to be given a chance to give feedback should any tree be identified as potentially being planted- as the height, density and autumn leaf fallout will affect our own matures trees/bushes on near this lot line.
6. Fence: We would like to see a six foot redwood fence with a two foot "double thickness" lattice on top of it, thus a total of eight feet heigh. \* \* The sections of fence (8 foot each) from our property line were purchased by us and would like to see them carefully removed and given back to us as we will be reusing it between our lot line and the storage facility.
7. Lighting: please no lights which will be focused in the direction of our property during nights to preserve night time natural darkness.
8. Apparent work hours per code is:
 

M – F	7:30 am	-	9:00 pm	
Sat	9:00 am	-	4:00 pm	Sun- no work

Please no work (due to noise) beyond those hours and if possible would like no work to start before 8:00 am

Attachment: Public Comment Letter (1183 : 1575 38th Avenue)





# CITY COUNCIL AGENDA REPORT

**MEETING OF SEPTEMBER 24, 2015**

FROM: Public Works Department

SUBJECT: Amend the City's Administrative Policy Number I-17 Pertaining to Over-the-Street Banners

RECOMMENDED ACTION: Adopt the amended Administrative Policy for Over-the-Street Banners.

BACKGROUND: In 2003 the City Council adopted a Banner Policy for Capitola Village to regulate the display of street banners which provide the City, community non-profits, and public service organizations with a cost-effective, high-impact tool for promoting events and communicating key messages. Although the existing policy has been successful, the lack of design consistency, timing requirements and banner construction has created difficulty in implementation of the policy. Therefore staff is proposing an amended policy, process, specifications and design requirements.

DISCUSSION: The proposed amended policy simplifies and clarifies the application process, content, banner specifications and design requirements. The application process requires a 30-day staff review and approval process prior to fabrication of a banner pursuant to a list of specifications; installation and display of a banner remains at a two week maximum; and if banners are not picked up within 10 days following display they may be recycled or discarded.

FISCAL IMPACT: No Impact.

ATTACHMENTS:

1. Amended Village Street Banner Program Policy I-17
2. Amended Village Street Banner Program Policy I-17 (Track Changes)
3. Over-the-Street Banner Application Packet

Report Prepared By: Danielle Uharriet  
Environmental Projects Manager

Steve Jesberg, Public Works Director

9/18/2015



## ADMINISTRATIVE POLICY

Number: I-17  
 Issued: 10/23/03  
 Revised: 01/24/08  
 Revised: pending  
 Jurisdiction: City Council

### CAPITOLA VILLAGE STREET BANNER PROGRAM POLICY

#### I. PURPOSE

The Street Banner Program provides a service to community nonprofits and public service organizations that need an effective tool to promote events and public information of interest and benefit to Capitola residents and visitors. Street banners enhance the streetscape of Capitola Village, by adding a vibrant element that enlivens the mobility experience for pedestrians, cyclists, transit users, and drivers.

#### II. POLICY

It is the Policy of the City of Capitola to provide community nonprofits and public service organizations a cost-effective, high-impact, place-based tool for engaging the public in promoting events, raising awareness, and communicating key messages.

Nonprofit groups, public and governmental agencies, and public information campaigns may display Promotional Street Banners for charitable, educational, arts, community, and public interest activities, regulations and events. Approved special events that have significant impacts to the community may also display Informational Street Banners. The City prohibits the use of Street Banners for commercial, political or religious messages, advertising or campaigns.

#### III. SPECIFICATIONS

1. Installation Period is a maximum of two (2) weeks.
2. Authorized locations:  
Capitola Avenue at Riverview Drive or Monterey Avenue at Park Place
3. Banners shall be a minimum of 3' high x 14' wide to a maximum of 3 ½' high x 18' wide. No exceptions.
4. Base fabric shall be 18 oz. heavyweight vinyl banner material.
5. D-rings attached to the banner corners with reinforced webbing to provide a place to attach a rope or other tie down to the banner.
6. Wire cable sewn into the top hem is recommended.
7. Wind slits spaced ~10" apart from each other and at least 4" from the edges of the banner.
8. Banners should be printed double-sided.
9. Back to back banners are not permitted.

**IV. PROCEDURE**

- 1) Banner Sign. Per Capitola Municipal Code, Chapter 17.57 Signs, “Banner Sign” means a sign that hangs over a public street or walkway made of fireproof cloth or canvas, which is displayed on a temporary basis to advertise a special event. Such temporary type signs are exempt from the provisions of the sign code enforced by the Community Development Department. Public Banners can only be displayed on city utility/streetlight poles and banner poles. Design review approval of the Public Works Director is required prior to displaying any banner in city right of way.
- 2) Application Required. No person, nonprofit corporation, and any department or agency shall install a banner in the City of Capitola, without submitting to the Public Works Department an application and obtaining approval pursuant to this administrative policy. Application submittal requirements include:
  - A. Name, address, phone number, email address of the applicant and organization;
  - B. Name of the event or topic;
  - C. Banner text;
  - D. Date of the event;
  - E. Installation and removal dates;
  - F. Name and phone number of person who will pick up the banner;
  - G. Color graphic of the banner design including the dimensions.
- 3) Banner Review and Approval Process. The Public Works Director and /or designee shall review the application for compliance with the purpose and the standards set in this policy. Upon determination of compliance of a proposed banner with this policy, the application shall be approved, if space is available.
- 3.5) Banner Schedules and Installation. The Public Works Department shall be responsible for maintaining a banner schedule on a calendar year basis. Banners shall be scheduled at the discretion of the Public Works Director to best benefit the City. Nothing in the policy constitutes a guarantee of space availability for a given event or date. Banners may only be placed by Public Works staff or authorized personnel.
- 3.6) Banner Content. Banners may include the name of the event, dates and times, locations, logos and other graphics and web site addresses.
  - A. Informational Street Banners must primarily serve to provide public notification.
  - B. Promotional Street Banners may include information advertising the event, program, or regulation.

This policy is approved and authorized by:

---

Benjamin Goldstein, City Manager



## ADMINISTRATIVE POLICY

Number: I-17

Issued: 10/23/03

Revised: 01/24/08

Revised: pending

Jurisdiction: City Council

### **CAPITOLA BANNER POLICY** **FOR CAPITOLA VILLAGE STREET BANNER PROGRAM POLICY**

#### **I. I. PURPOSE**

The purpose of this policy is to equitably regulate the display of street banners in a manner that achieves the City's goals of increased tourism, benefit to the local economy, and provision of social and public services to the residents, while complying with local, state and federal laws. The Street Banner Program provides a service to community nonprofits and public service organizations that need an effective tool to promote events and public information of interest and benefit to Capitola residents and visitors. Street banners enhance the streetscape of Capitola Village, by adding a vibrant element that enlivens the mobility experience for pedestrians, cyclists, transit users, and drivers.

#### **II. HISTORY AND OBJECTIVES POLICY**

This Capitola Banner Policy for Capitola Village is promulgated with reference to the following facts, goals and objectives:

1) — In describing Capitola Village, the Capitola General Plan states: "Capitola is reminiscent of a Mediterranean fishing village with small shops and houses oriented to the water. The pace is easy going and lazy yet there are plenty of activities from which to choose if one so desires. The Village area adjacent to the beach is a collection of small stores and shops with unique and unusual merchandise that provide hours of interesting shopping. The beach and lagoon area offer a variety of opportunities for both active and passive recreational activities. In addition, there are a number of areas to explore, including the Wharf, Victorian cottages and houses, pathways and stairs, the Southern Pacific trestle and the Esplanade area."

It is the Policy of the City of Capitola to provide community nonprofits and public service organizations a cost-effective, high-impact, place-based tool for engaging the public in promoting events, raising awareness, and communicating key messages.

Nonprofit groups, public and governmental agencies, and public information campaigns may display Promotional Street Banners ~~to promote~~ charitable, educational, arts, community, and public interest activities, regulations and events. Approved special events that have significant impacts to the Village community may also display Informational Street Banners. The City prohibits the use of Street Banners for commercial, political or religious messages, advertising or campaigns.

~~2) — While the City has historically, on a case-by-case basis, periodically authorized the display of banners in the Village, it has always done so with the objective of minimizing the aesthetic impacts that those banners might have on the Village both from a visual perspective and in terms of the overall Village ambience as described in the General Plan.~~

~~3) — Accordingly, the City has never sanctioned the use of banners for the advertisement of commercial events or programs. To the contrary, the City has historically allowed such displays, limiting the opportunity to display banners in the Village to nonprofit corporations and to the City itself and, with respect to these entities' ability to display banners, has further limited their displays to banners that publicize events or programs intended to benefit the residents or the economy of the City. To this end, historically the only banners which have been displayed in the Village are banners which publicize events and programs sponsored by nonprofits such as the Capitola Chamber of Commerce that promote tourism in the City thereby benefiting both local businesses and the City's tax coffers. In addition, the City has permitted other nonprofits to use banners in the Village to promote fundraising events and activities which, in turn, generate the revenue that allows those nonprofits to provide social services to City residents thereby also benefiting the City. Finally, the City has from time to time used banners in the Village to publicize City-sponsored social and recreational events and programs intended to benefit City residents.~~

~~4) — When permitted by the City, banners have historically been displayed from City-owned utility poles dispersed throughout the Village as well as from a number of poles in the Village dedicated exclusively to banner display use. The City has never, by tradition or design, allowed these poles to be used by other speakers, be they commercial, political or religious, for the dissemination of messages or advertisement or for any other purpose related to general public discourse or debate. As such, these utility/streetlight poles and banner poles are neither properly characterized as traditional "public fora" or designated "public fora" — public forum.~~

~~5) — To the extent that banners are periodically displayed in the Village in accordance with the foregoing criteria, it is the City's judgment and determination that any aesthetically adverse impact created by the temporary display of these banners is mitigated by the salutary social and economic objectives, as afore-referenced, served by the banners. In addition, any such adverse impacts can be minimized by the promulgation of reasonable regulations pertaining to the size, design, location and number of banners and the duration of banner displays.~~

~~6) — In addition, the City has determined that it is in the best interest of the City in most instances to refrain from allowing non-fora City property to be used for political and religious purposes and, in this respect, to maintain a position of neutrality on issues of a political or religious nature. This City interest is therefore served by prohibiting the use of City utility poles and banner poles for the dissemination of political and religious messages. In addition, if the City were willing to allow City property to be used for the dissemination of political or religious messages, it would be legally and morally obligated to allow the same property to be used by other speakers who disagree with those messages; as a result, there would be a proliferation of use which is inconsistent with the City's overall aesthetic objectives for the Village.~~

~~7) — Similarly, the use of this City property for commercial advertising purposes would result in a proliferation of use counterproductive to maintaining the general aesthetic ambience currently enjoyed by the Village and, like political and religious uses, such a commercial use of the City's property would not advance the City's afore-referenced social and economic objectives.~~

### III. POLICY SPECIFICATIONS

~~1) — With reference to the foregoing the following banner policy shall be implemented and administered in the Capitola Village:~~

- ~~A. Subject to the City Manager's approval, a nonprofit corporation such as the Capitola Chamber of Commerce may display banners across Monterey Avenue and/or Capitola Avenue intended to promote tourism and benefit the local economy by publicizing programs and events in the City intended to attract tourists to the City or in any other manner benefit the local economy; such as, the Wharf to Wharf race, the Begonia Festival, Art & Wine Festival, Summer concerts in the park, and others of similar nature and/or purpose.~~
- ~~B. Subject to the City Manager's prior approval, nonprofit corporations that provide services of interest to City residents may display banners across Monterey Avenue and/or Capitola Avenue to promote fundraising events intended to financially benefit those nonprofit corporations.~~
- ~~C. Subject to the City Manager's prior approval, the City of Capitola may display banners across Monterey Avenue and/or Capitola Avenue designed to publicize City sponsored social, and recreational programs intended to benefit City residents.~~
- ~~D. Banners conveying political or religious messages shall not be permitted.~~
- ~~E. Banners conveying commercial messages or commercial advertising shall not be permitted.~~
- ~~F. Banners conveying non-commercial or non-profit messages other than those referenced in subsection A and B above shall not be permitted.~~
- ~~G. Banner hung from the streetlights in the Village shall be limited to banners that add to the beauty of the Village and promote the City or Village area as a whole. No special event banners will be allowed on the streetlights in the Village.~~

~~2) — Authorized locations and standards.~~

- ~~A. — Banner location. There are three approved locations for display of banners:~~
  - ~~1. — Capitola Village Streetlights Poles (see special condition above)~~
  - ~~2. — Across Monterey Avenue on banner poles~~
  - ~~3. — Across Capitola Avenue close to City Hall on banner poles~~

~~B. — Size, number of banners authorized for display. The size and number of banners depends on its type and location. Any increase in size from measurements provided in this policy, with exception of small valances, would require submission of *wind load calculations* in relation to the banner poles and utility poles in question.~~

- ~~1. — Capitola Village Banners size and number: 18 inches wide by 48 inches long, one banner per light pole. —~~
- ~~2. — Across Monterey Avenue and Capitola Avenue on banner poles. Size of banners: 16 to 18 feet wide and 2.5 to 3.5 feet high. One banner authorized per location.~~

~~C. — Duration of time over which banners may be displayed.~~

- ~~1. — Capitola Village utility/streetlight poles. Banners on streetlight poles are authorized for display year round and/or seasonally.~~
- ~~2. — Across Monterey Avenue and Capitola Avenue close to City Hall. Banners across Monterey Avenue and Capitola Avenue can only be installed two (2) weeks prior to an event and be removed within two (2) days after the event.~~
- ~~3. — The Public Works Department shall be responsible for maintaining a banner schedule. Banners will be scheduled on a first come, first serve basis following City Manger approval. Nothing in this policy shall constitute a guarantee of space availability for a given period or event.~~

~~D. — Banner Design: Banners can be made of acrylic coated canvas, acrylic coated polyester, vinyl, and other materials, that may be flame, mildew, and UV resistant or other material of higher aesthetic and quality value, as approved by the Public Works Director. Banners ink colors and hanging/installation fixtures can also vary and are encouraged to be designed for long term use to minimize fading and deterioration.~~

- ~~1. — The design of a new public banner should be compatible with Capitola public signs, such as the city entry signs, and traffic signs in terms of city logo, dominant colors and overall theme.~~
- ~~2. — Design of new banners may be referred to the Arts and Cultural Commission~~

~~E. — Installation of Banners: Public Works Department staff shall install all banners, unless the Public Works Director grants prior approval.~~

1. Installation Period is a maximum of two (2) weeks.

2. Authorized locations:

Capitola Avenue at Riverview Drive or Monterey Avenue at Park Place

3. Banners shall be a minimum of 3' high x 14' wide to a maximum of 3 ½' high x 18' wide. No exceptions.

4. Base fabric shall be 18 oz. heavyweight vinyl banner material.
5. D-rings attached to the banner corners with reinforced webbing to provide a place to attach a rope or other tie down to the banner.
6. Wire cable sewn into the top hem is recommended
7. Wind slits spaced ~10" apart from each other and at least 4" from the edges of the banner
8. Banners should be printed double-sided
9. Back to back banners are not permitted

#### IV. PROCEDURE

1) Banner Sign. Per Capitola Municipal Code, Chapter 17.57 Signs, "Banner Sign" means a sign that hangs over a public street or walkway made of fireproof cloth or canvas, which is displayed on a temporary basis to advertise a special event. Such temporary type signs are exempt from the provisions of the sign code enforced by the Community Development Department. Public Banners can only be displayed on city utility/streetlight poles and banner poles. ~~Prior-Design review~~ approval of the ~~City Manager~~Public Works Director is required prior to displaying any banner in city rights of way.

2) Application Required. No person, nonprofit corporation, and any department or agency shall install a banner in the City of Capitola, without submitting to the Public Works Department an application and obtaining approval pursuant to this administrative policy. Application submittal requirements include:

- A. Name, address, phone number, email address of the applicant ~~and organization or nonprofit corporation;~~
- B. Name of the event or topic
- C. Banner text
- D. Date of the event
- E. Installation and removal dates
- F. Name and phone number of person who will pick up the banner
- A.G. Color graphic of the banner design including the dimensions
- ~~B. Description of the purpose of the banner demonstrating its consistency with this policy;~~
- ~~C. Location, size, and number of banners to be displayed;~~
- ~~D. Fabric, Ink colors and related installation fixtures~~
- ~~E. Date and time of the event; and the~~



~~F. Schedule of installation and removal~~

~~3) Banner Approval. Approvals for display of banners over the public right of way are the responsibility of the City Manager., if space is available.~~

~~34) Banner Review and Approval Process. The Public Works Director and /or designee shall review the application for compliance with the purpose and the standards set in this policy. Due to the fact that the authorized banner locations do not constitute a public forum, and are restricted to the promotion of local tourism and enhancement of conditions for the provision of public and social services to Capitola residents, any banner not in compliance may be rejected. Upon determination of compliance of a proposed banner with this policy, the application shall be ~~forwarded to the City Manager's office for approval~~approved.~~

3.5) Banner Schedules and Installation. The Public Works Department shall be responsible for maintaining a banner schedule on a calendar year basis. Banners shall be scheduled at the discretion of the Public Works Director to best benefit the City. Nothing in the policy constitutes a guarantee of space availability for a given event or date. Banners may only be placed by Public Works staff or authorized personnel.

3.6) Banner Content. Banners may include the name of the event, dates and times, locations, logos and other graphics and web site addresses.

A. Informational Street Banners must primarily serve to provide public notification.

B. Promotional Street Banners may include information advertising the event, program, or regulation.

This policy is approved and authorized by:

~~Richard Hill~~Benjamin Goldstein, City Manager



## City of Capitola Over-the-Street Banner Application Packet

### Items included in your Over-the-Street Banner Application Packet

- Street Banner Program Policies  
Read through the Street Banners Program policies prior to applying. Customers will be required to abide by program policies.
- Over-the-Street Banner Application Form  
Application form to apply for an over-the-street banner reservation. Please include all required documents at the time of submission.
- Specifications & Design Requirement  
This document describes what technical specifications your banners must be in order for them to be installed. Banners not meeting the required specifications may not be installed.

### Application Process

1. Read through the Application Packet.
2. Complete the Application form.
3. Installation Period: 2 weeks maximum  
Locations: Capitola Avenue at Riverview Drive or Monterey Avenue at Park Place
4. Submit your application a minimum of **30 days prior to installation**. Applications may be emailed or mailed or made in person.

EMAIL completed applications to:

[duharriet@ci.capitola.ca.us](mailto:duharriet@ci.capitola.ca.us)  
[sjesberg@ci.capitola.ca.us](mailto:sjesberg@ci.capitola.ca.us)

IN PERSON, please contact:

City of Capitola Public Works Department  
420 Capitola Avenue  
831.475.7300  
Monday – Friday  
8:00 a.m. - 12 noon  
1:00 p.m. - 5:00 p.m.

MAIL applications to:

City of Capitola  
Attn: Public Works Department  
420 Capitola Avenue  
Capitola, CA 95010

5. Design your banner and follow the design requirements before submitting for review and approval. All banner designs and content must be submitted for consideration at least **30 days in advance** of the installation date.  
*Previously approved banners may be reused if they meet the current specifications and are in good condition. City staff inspects banners prior to installation; we have seen problems with moldy, decayed, and damaged banners.*
6. After you receive design review approval, fabricate your banner to the City of Capitola specifications. *Banners not meeting the required specifications may not be installed!*
7. Drop off your banner **no later than 3 business days prior to installation**. *Banners not dropped off within 3 business days may not be installed!*
8. Pick up your banners **within 7 days of take-down date**. *Banners not picked up within 10 business days may be discarded!*

#### **BANNER DROP OFF AND PICKUP LOCATION**

City Corporation Yard  
430 Kennedy Drive  
Capitola, CA 95010  
Hours: 7:00 a.m. – 3:00 p.m. Monday – Thursday  
Eddie Ray Garcia 831.212.4046 or Matt Kotila 831.212.4058



# Street Banner Program Policies

[www.cityofcapitola.org](http://www.cityofcapitola.org)

Attachment: Over-the-Street Banner Application Packet (1199 : Banner Policy)



# Over-the-Street Banner

1. Banners shall be a **minimum of 3' high x 14' wide to a maximum of 3 ½' high x 18' wide**. No exceptions.
2. Base fabric shall be 18 oz. heavyweight vinyl banner material.
3. D-rings attached to the banner corners with reinforced webbing to provide a place to attach a rope or other tie down to the banner.
4. Wire cable sewn into the top hem is recommended
5. Wind slits spaced ~10" apart from each other and at least 4" from the edges of the banner
6. Banners should be printed double-sided
7. Back to back banners are not permitted

**Banners not meeting the specifications may be rejected.**

All banner designs must be approved before a reservation is finalized and at least **30 days** prior to installation. Please contact the Public Works Department, for design review. [duharriet@ci.capitola.ca.us](mailto:duharriet@ci.capitola.ca.us) or 831.475.7300.



## Street Banner Application Over-the-Street Banner

*This is NOT a Permit*

### Items to Submit with your Application

- Banner Design Graphics. Submit a color graphic of the banner design including the dimensions for design review approval a minimum of 30 days prior to installation. Ensure that you receive design review approval prior to fabrication.
- *Banners not meeting the required specifications may not be installed!*

### Applicant Information

Primary Contact Name		Primary Contact Phone No.	
Name of Organization		Non-Profit Status: <b>Yes or No</b>	
Mailing Address			
Apt/Unit No.	City	State	Zip Code
Alternate Phone No.	Fax No.	Email Address	

### Event Information

Name of Event/Topic	
Banner Text (MESSAGE MUST BE NON-COMMERCIAL)	
Date of Event	
Street Location <i>City of Capitola reserves the right to place your banner in the location available</i>	<input type="checkbox"/> Capitola Avenue <input type="checkbox"/> Monterey Avenue
Requested Installation Date	Requested Removal Date
Contact Name for Banner Pick Up (FIRST, LAST)	
Contact Phone or Email Address for Banner Pick Up	

Attachment: Over-the-Street Banner Application Packet (1199 : Banner Policy)

**Submission Information**

EMAIL completed applications to:

[duharriet@ci.capitola.ca.us](mailto:duharriet@ci.capitola.ca.us)  
[sjesberg@ci.capitola.ca.us](mailto:sjesberg@ci.capitola.ca.us)

IN PERSON, please contact:

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MAIL applications to:

City of Capitola  
Attn: Public Works Department  
420 Capitola Avenue  
Capitola, CA 95010

By signing this application, I certify I have read and understand the City's Street Banner Program Policies and I agree to be bound by them. I understand my banner may be recycled or discarded if not picked up within 10 days of removal date. I understand that street banner service is subject to scheduling maintained by the City.

\_\_\_\_\_  
**Signature**

\_\_\_\_/\_\_\_\_/\_\_\_\_\_  
**Date**

**Attachment: Over-the-Street Banner Application Packet (1199 : Banner Policy)**

<i>Internal Use</i>	<i>Application Rcvd:</i>	<i>Dates Available:</i>	<i>Reservation Booked:</i>	<i>Installation Scheduled:</i>
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