

City of Capitola Agenda



Mayor: Kristen Petersen
Vice Mayor: Yvette Brooks
Council Members: Jacques Bertrand
Ed Bottorff
Sam Storey

CAPITOLA CITY COUNCIL SPECIAL MEETING

TUESDAY, JULY 21, 2020

6 PM

PLEASE REVIEW THE NOTICE OF REMOTE ACCESS AT THE END OF THE AGENDA, FOR HOW TO ATTEND & SUBMIT PUBLIC COMMENT

SPECIAL MEETING OF THE CAPITOLA CITY COUNCIL - 6 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Jacques Bertrand, Ed Bottorff, Yvette Brooks, Sam Storey, and Mayor Kristen Petersen

2. ADDITIONAL MATERIALS

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

3. ADDITIONS AND DELETIONS TO AGENDA

4. CITY COUNCIL / STAFF COMMENTS

City Council Members/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration. No individual shall speak for more than two minutes.

5. GENERAL GOVERNMENT / PUBLIC HEARINGS

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

- A. Continued Zoning Code Items
RECOMMENDED ACTION: Accept staff presentation, provide direction on the three zoning code topics, and direct staff to prepare the zoning code update for adoption hearings.

6. ADJOURNMENT

NOTICE OF REMOTE ACCESS

In accordance with the current Santa Cruz County Health Order outlining social distancing requirements and Executive Order N-29-20 from the Executive Department of the State of California, the City Council meeting is not physically open to the public and in person attendance cannot be accommodated.

To watch:

- 1. Online <http://capitolaca.igam2.com/Citizens/Default.aspx>
- 2. Spectrum Cable Television channel 8
- 3. Join the Zoom Meeting
 - A. With internet and a computer:
 - § <https://us02web.zoom.us/j/88946122968?pwd=N09YdGRpQml5MU13RjJ1QnBiUkdJUT09>
 - § If prompted for a password, enter **432002**
 - B. With a landline or mobile phone, call one of the following numbers:
 - § **1 669 900 6833**
 - § **1 408 638 0968**
 - § **1 346 248 7799**
 - § Enter the meeting ID number: **889 4612 2968**
 - § When prompted for a Participant ID, press #

To submit public comment:

When submitting public comment, one comment (via phone **or** email, not both), per person, per item is allowed. If you send more than one email about the same item, the last received will be read.

- 1. Zoom Meeting (Via Computer or Phone) Link:
 - A. IF USING COMPUTER:
 - § Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak
 - B. IF CALLED IN OVER THE PHONE:
 - § Press ***9** on your phone to “raise your hand” when the mayor calls for public comment. Once unmuted, you will have up to 3 minutes to speak
- 2. Send Email:
 - A. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - § Emailed comments on items will be accepted after the start of the meeting until the Mayor announces that public comment for that item is closed.
 - § Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - § Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.

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July 21, 2020

§ Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.

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 at 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 by clicking on the Home Page link “**Meeting Video.**” Archived meetings can be viewed from the website at any time.



CAPITOLA CITY COUNCIL SPECIAL MEETING AGENDA REPORT

MEETING OF JULY 21, 2020

FROM: Community Development

SUBJECT: Zoning Code - Local Coastal Program IP Update

RECOMMENDED ACTION: Accept staff presentation, provide direction on the three zoning code topics, and direct staff to prepare the zoning code update for adoption hearings.

BACKGROUND: City Council adopted a new zoning code on January 25, 2018. The 2018 zoning code is effective in areas of the City outside of the Coastal Zone. Before the 2018 zoning code becomes effective within the Coastal Zone, which makes up about two-thirds of the land area in Capitola, the Coastal Commission must certify that the zoning code is consistent with the California Coastal Act.

Capitola staff has been working with Coastal Commission staff toward certification over the past two years. Coastal Commission staff reviewed the 2018 zoning code and proposed modifications for the City to consider before the Coastal Commission takes action to certify the zoning code. City staff presented the modifications recommended by Coastal Commission staff to the Planning Commission during a special meeting on February 21, 2019, and a regular meeting on March 7, 2019. The Planning Commission provided recommendations to the City Council regarding which Coastal Commission staff revisions to accept.

On April 5, 2019, City staff published an updated draft of the zoning code on the City website which included all Coastal Commission modifications recommended by the Planning Commission in "redline" form to track changes from the 2018 zoning code.

On April 11, 2019, City Council received updates on the recommended zoning code modifications and requested further review by the City's legal counsel. On May 9, 2019, City Council received an overview of the general Coastal Commission certification process. On May 23, 2019, City Council reviewed additional modifications to the zoning code that were initiated by City staff, not Coastal Commission staff. City Council accepted the City staff recommended changes as presented.

On June 27, 2019, the City Attorney provided an overview of the proposed Coastal Commission staff edits to the 2018 zoning code. City Council directed staff to work with Coastal Commission staff on the remaining items. City staff provided comments to Coastal Commission staff and received responses to comments in November of 2019 followed by meeting in late December of 2019.

Continued Zoning Code Items
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On May 14, 2020, staff provided City Council an overview of all edits worked through with Coastal Commission staff. The list includes edits from zoning code chapter 17.44 (Coastal Overlay), one edit from Section 17.48.030F (encroachment in right-of-way), and one edit in Section 17.76.090 (public parking). Council provided staff with two minor changes, but generally directed staff to proceed with the proposed edits as drafted.

Once staff receives guidance on the three remaining items, the zoning code will be prepared for final adoption hearings by the Planning Commission and City Council, followed by submittal to Coastal Commission for certification. The next step is the official application for Coastal Commission review, not a third informal review by Coastal Commission staff. The Coastal Commission will either approve the new code or approve the new code contingent on Capitola adopting Coastal Commission conditions of approval requiring further modification to the zoning code. If the Coastal Commission approves the code contingent on further modifications, those modifications will be brought back to City Council for review. Under this scenario, the City could: (1) accept the modifications as adopted by the Coastal Commission (the zoning code would then be certified), (2) propose new revisions to address Coastal Commission conditions (postpones certification until Coastal Commission reviews and approves the City's alternative new revisions), or (3) not accept Coastal Commission modification and take no additional action (zoning code would not be certified or effective in the Coastal Zone).

DISCUSSION: There are three remaining zoning code topics which require City Council direction, as outlined in the following table:

	Topic	Code Section	Page #
1	Monarch Cove Inn	Section 17.28; Table 17.28-1 Footnote 12	28-4
2	Village Onsite-Parking	Section 17.76.040.3	76-8 & 76-9
3	Future Village Hotel Height	Section 17.88.050.B.2.a	88-3

Topic 1. Monarch Cove Inn: The Monarch Cove Inn is located at 620 El Salto in the Visitor Serving zoning district. The property is made up of three parcels. Under the current Visitor Serving zoning, the property must primarily be used for a variety of tourism related uses. Residential use of the property requires a conditional use permit and is limited 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." This requirement ensures the property remain partially utilized as visitor serving. The property owner has expressed interest in developing residential uses on the three parcels, but the Coastal Commission continues to direct that some visitor-serving uses remain available.

During the 2018 zoning code update, at the property owner's request, the property was rezoned to the Single-Family (R-1) district with a Visitor Serving Overlay. The new zoning would allow the property to be utilized either as a residence or as visitor-serving uses. This property owner is seeking to retire having lived in and then actively managed the Monarch Cove Inn over the past sixty years.

When the 2018 update was submitted to the Coastal Commission staff, the Coastal Commission staff proposed a requirement that a single family-residence could be permitted with a conditional use permit "only if ancillary to visitor accommodations use". The requirement was added to Table 28-1 as footnote 12 on page 28-4. Under the standard as proposed by the

Continued Zoning Code Items
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Coastal Commission staff, any residential use of the property would have to be secondary or subordinate to the visitor serving use.

During the Planning Commission review of the Coastal Commission staff modifications, the Commission considered the balance between the owner's desire to no longer run an inn and the Coastal Commission's goals to preserve visitor serving uses. The Planning Commission modified Table 28-1 footnote 12 to allow single family-residence "in conjunction with visitor accommodation use or grant of public access to a viewpoint". This provides two options for the owner to maintain some type of visitor serving use (access to a viewpoint or visitor accommodations) in conjunction with single-family use.

Staff is requesting Council direction on the proposed modification. Specifically, does the City Council support the Planning Commission recommendation to allow public access to a viewpoint as an alternative to requiring visitor accommodations? Are there other visitor serving uses the City should propose to Coastal Commission as a compromise in the revised ordinance, such allowing the owner to use the property for single-family use in conjunction with a requirement for the owner to have a secondary dwelling unit onsite that is utilized as a vacation rental year round?

Topic 2. Village Parking: The Capitola Village is zoned Central Village District (CV) with unique development standards outlined in Chapter 17.21. In 1989, parking regulations were added to maintain the pedestrian oriented development pattern of commercial buildings fronting sidewalks with minimal curb cuts. These types of requirements are common in historical downtowns and are intended to preserve the character of the downtown and maintain uninterrupted storefronts along the sidewalk providing a different aesthetic than a mall where parking is typically located in front of commercial development.

The current 1989 standards for parking in the Village require parking to be provided on sites outside the Village area within walking distance or at remote sites served by a shuttle system. The code lists exceptions to the offsite parking restrictions which allow onsite parking on the Mercantile site and the Capitola Theater site with guidance to minimize curb cuts. There are also exceptions allowing onsite parking for non-historic structures and compliance with FEMA. The regulations have been in place since 1989, however the language can be challenging to understand. The most up to date version with Coastal Commission staff proposed modifications in red and underlined text are as follows:

17.76.040.3 Location of Parking

Required parking spaces shall be provided on sites outside of the Village area within walking distance or at remote sites served by a shuttle system.

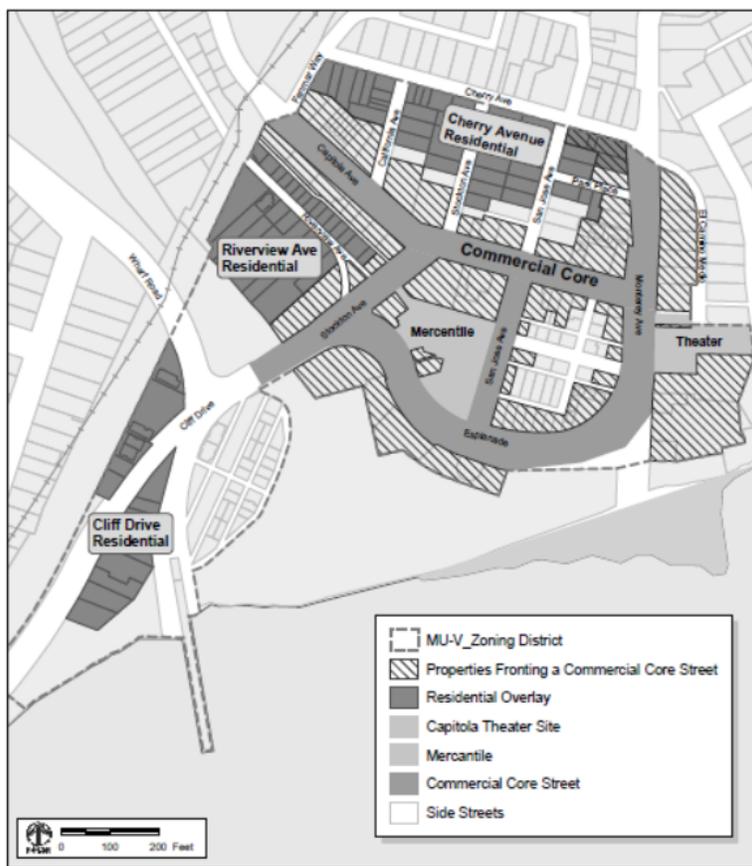
Exceptions to Off site Parking (restrictions):

1. Non-historic structures in residential overlays;
2. The Capitola Theater site may accommodate limited onsite parking to serve ADA guests and a valet or similar shuttle system; however, offsite parking is strongly encouraged to the maximum extent feasible. For any parking located onsite, driveway cuts shall be minimized and parking areas will not be located along the street frontage of the site;
3. The Mercantile site if driveway cuts are minimized to the extent possible and parking areas are located on the interior of the site; and
4. If mandated under Federal Emergency Management Agency regulations and as consistent with the certified Local Coastal Program.

One goal of the zoning code update was to simplify the text to be user friendly. The village parking standards listed above are confusing, and the purpose is unclear. To simplify the language and clarify the intent of avoiding curb cuts in the pedestrian oriented commercial core, the Planning Commission recommended that staff reword section 17.66.040.3. City staff suggests the following modification to text in place of the Coastal Commission staff edits and the addition of figure 17.76-2, both prepared by City staff:

1. **MU-V Zoning District.** Required parking in the MU-V district for new development and intensified uses shall be provided in compliance with the following:
 - a. The Planning Commission may approve onsite parking if any following conditions are applicable:
 - (1) For property fronting a Commercial Core street shown in Figure 17.76-2, onsite parking is allowed if access to parking is from a side street, alleyway, or existing driveway cut. New driveway cuts are prohibited along a Commercial Core street frontage.
 - (2) For the Capitola Theater and Mercantile sites, if driveway cuts are minimized to the extent possible and parking areas are generally located on the interior of the sites.
 - (3) Within the Riverview Avenue, Cherry Avenue, and Cliff Drive residential overlays.
 - (4) As mandated by Federal Emergency Management Agency (FEMA) regulations.
 - b. The Planning Commission may permit off-site parking for non-residential uses if the space(s) are within walking distance of the use which it serves or located at a remote site served by a shuttle system.

FIGURE 1: MU-V PARKING LOCATION MAP



It should be noted that the references to off-site parking for non-residential uses are a reference to the City's current in-lieu parking policy, which is currently limited to large and small hotel uses in the village. Staff is requesting direction on the proposed updated language. Specifically, does the City Council support City staff's proposed modifications to the off-site parking requirements?

Topic 3: Future Village Hotel and Height Limit: The Capitola Village Hotel site is located at 120 Monterey Avenue at the site of the previous Capitola Theater. The 2018 updated zoning code includes incentives of additional height and floor area ratio for a hotel on the site in section 17.88.050.B. The Coastal Commission staff proposed further modifications to the increased height criteria as follows in red and underlined text:

17.88.050.B Village Hotel. The City may grant the following incentives to a proposed hotel on the former Capitola Theater site (APN 035-262-04, 035-262-02, 035-262-11, 035-261-10):

1. An increase in the maximum permitted floor area ratio (FAR) to 3.0.
2. An increase to the maximum permitted building height provided that:
 - a. The maximum height of the hotel (including all rooftop architectural elements such as chimneys, cupolas, etc., and all mechanical appurtenances such as elevator shafts, HVAC units, etc.) remains at least 10 feet below the top elevation of the bluff behind the hotel; and
 - b. The bluff behind the hotel remains visible from Capitola Beach, Cliff Drive, and

Continued Zoning Code Items
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the Capitola wharf as a green edge above the visible top of the hotel with existing mature trees maintained on site.

The Planning Commission recommended not to accept the Coastal Commission staff's proposed modification for the maximum height limit to be 10 feet below the top elevation of the bluff and not allow rooftop architectural features beyond the height limit. The 2018 zoning code includes allowed projections above height limits to allow for non-habitable decorative features, skylights, chimneys, flagpoles, and some utilities of up to 4 - 6 feet in height as long as they do not cover more than 10 – 20% of the roof area (Table 17.48-1).

The Planning Commission also recommended further modifications to the language describing the viewpoints: remove the reference to the view from Capitola Beach and further specify the view from Cliff Drive as “the southern parking lot along the bluff of Cliff Drive” from which the bluff behind the future hotel must remain visible. The Planning Commission recommendation is as follows:

1. An increase in the maximum permitted floor area ratio (FAR) to 3.0.
2. An increase to the maximum permitted building height provided that:
 - a. The maximum height of the hotel (including all rooftop architectural elements such as chimneys, cupolas, etc., and all mechanical appurtenances such as elevator shafts, HVAC units, etc.) remains at least 10 feet below the top elevation of the bluff behind the hotel; and
 - b. The bluff behind the hotel remains visible from Capitola Beach, the southern parking lot along the bluff of Cliff Drive, and the Capitola wharf as a green edge above the visible top of the hotel with existing mature trees maintained on site.

Staff is requesting direction from the City Council as to whether to proceed with the Planning Commission recommendation or include the 10 feet standard and prohibition on architectural elements extending above the height limit as requested by the Coastal Commission staff. The Capitola Beach is at a lower elevation than the hotel, and therefore it should not be included as a viewpoint.

NEXT STEPS: After receiving direction on all three items, an updated version with all City Council recommendations will be prepared and published for adoption hearings. Due to the extensive changes during City Council review, the updated draft requires a second review and recommendation by Planning Commission prior to the final adoption by City Council.

FISCAL IMPACT: There are no fiscal impacts related to the proposed zoning code updates.

ATTACHMENTS:

1. 17.28_Visitor Serving Zoning Districts
2. 17.76_Parking with Changes to PC Recommendation
3. 17.88_Incentives for Community Benefits
4. Public Comment from Monarch Cove Inn

Report Prepared By: Katie Herlihy
Community Development Director

Continued Zoning Code Items
July 21, 2020

Reviewed and Forwarded by:



Jamie Goldstein, City Manager 7/15/2020

Chapter 17.28 - VISITOR SERVING OVERLAY ZONES

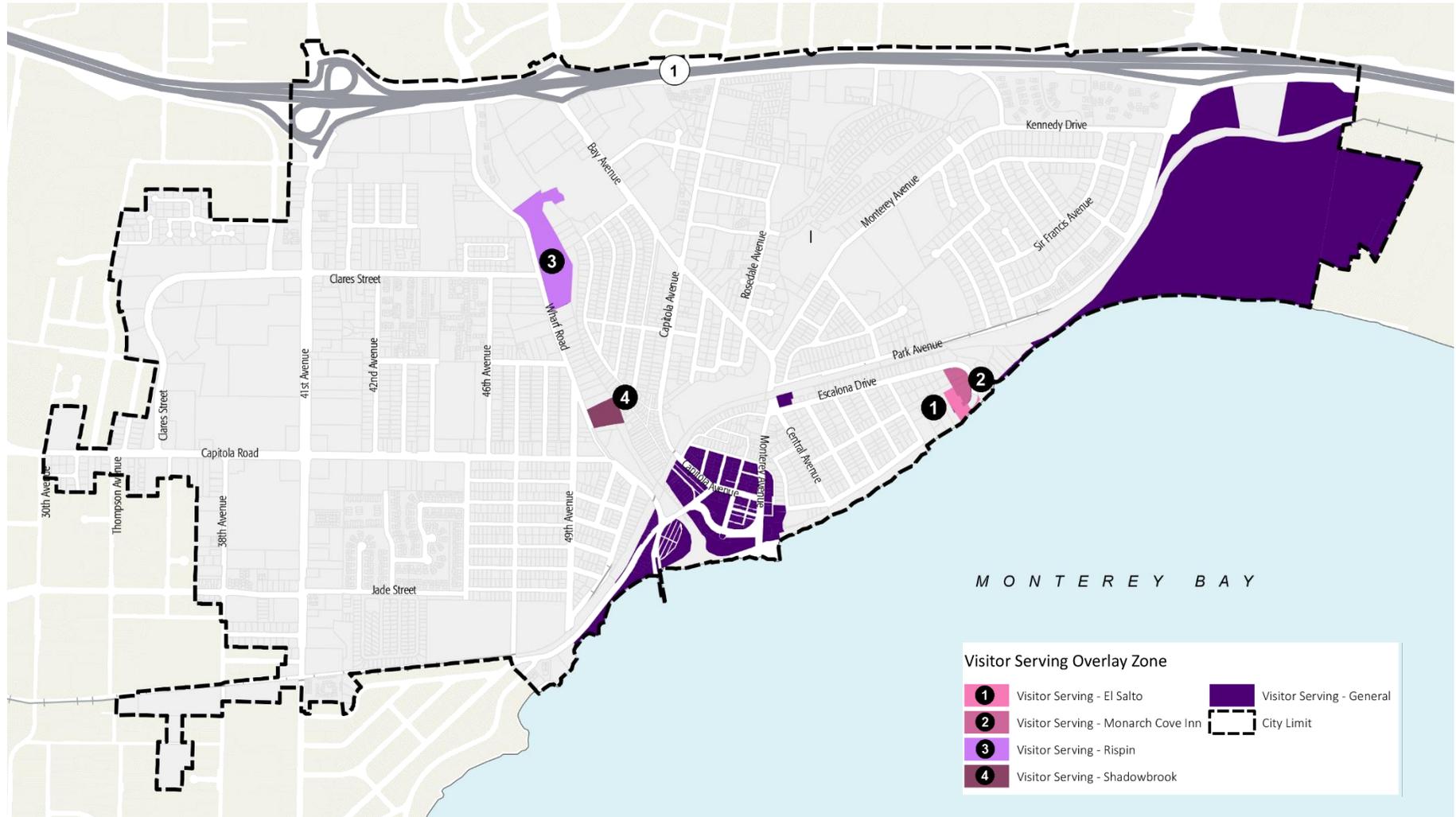
Sections:

- 17.28.010 Purpose of the Visitor Serving Overlay Zone
- 17.28.020 Land Use Regulations
- 17.28.030 Development Standards

17.28.010 Purpose of the Visitor Serving Overlay Zone

- A. General.** The purpose of the Visitor Serving (-VS) overlay zone is to provide the visiting public with a range of opportunities to enjoy Capitola's coastal location. The -VS overlay zone accommodates a range of visitor serving uses including overnight accommodations, dining establishments, and active and passive recreational facilities. Specific permitted uses depend on the resources present on the site and the surrounding land use and environmental context. The -VS overlay zone implements policies to maintain and enhance visitor serving uses in Capitola consistent with the General Plan and Local Coastal Program (LCP).
- B. Visitor Serving Overlay Subzones.** The VS overlay zone is divided into five subzones (see Figure 17.128-1) with unique land use and development standards:
1. **Visitor Serving - Rispin (VS-R).** Applies to the Rispin site (APN 035-371-01 & 02).
 2. **Visitor Serving - Shadowbrook (VS-SB).** Applies to the Shadowbrook site (APN035-111-04).
 3. **Visitor Serving - Monarch Cove Inn (VS-MC).** Applies to the Monarch Cove Inn site (APN 036-143-31 & 036-142-27) and the portion of parcel 036-142-28 that is located between the two Monarch Cove Inn parcels.
 4. **Visitor Serving - El Salto (VS-ES).** Applies to the El Salto site (APN 036-143-35).
 5. **Visitor Serving - General (VS-G).** Applies to all other parcels with a Visitor Serving subzone overlay designation.

FIGURE 17.28-1: VISITOR-SERVING DISTRICTS



Attachment: 17.28_Visitor Serving Zoning Districts (Continued Zoning Code Items)

17.28.020 Land Use Regulations

A. Permitted Land Uses. Table 17.28-1 identifies land uses permitted in the VS overlay subzones.



Note: Coastal Commission staff requested creating a separate subzone for New Brighton State Beach and identifying allowed land uses in in the park that are different from other VS subzones. The Planning Commission recommends not accepting this request because the City does not have permit jurisdiction in the State park.

TABLE 17.28-1: PERMITTED LAND USES IN THE VISITOR SERVING OVERLAY ZONE

Key P Permitted Use M Minor Use Permit required C Conditional Use Permit required - Use not allowed	VS Subzones					Additional Regulations
	VS-G	VS-R	VS-SB	VS-MC	VS-ES	
Residential Uses						
Employee Housing	C [1]	-	-	-	-	
Multi-Family Dwellings	C [2]	-	-	-	C [2]	
One Caretaker Unit for On-Site Security	C	C	C	C	C	
Single-Family Dwellings	C [3]	-	-	C [3][12]	C [3]	
Public and Quasi-Public Uses						
Community Assembly	C	C	-	-	-	
Cultural Institutions	C	C	-	-	-	
Day Care Centers	C	-	-	-	-	
Habitat Restoration and Habitat Interpretive facilities	C	C	C	C	-	
Parks and Recreational Facilities	C	C	-	-	-	
Public Parking Lots	C	C	-	-	-	
Public Paths <u>and Coastal Accessways</u>	C	C	C	C	C	
Public Safety Facilities	C	-	-	-	-	
Public Wharfs	C	-	-	-	-	
Schools, Public or Private	-	-	-	-	-	
Commercial Uses						
Business Establishments that Provide Commercial Places of Amusement or Recreation, Live Entertainment, or Service of Alcoholic Beverage	C [4]	C [4]	C	-	-	
Business Establishments that Sell or Dispense Alcoholic Beverages for On-Site Consumption	C	C	C	C	-	
Restaurants						
Full Service	C [5]	C [5]	C [5]	-	-	

Attachment: 17.28_Visitor Serving Zoning Districts (Continued Zoning Code Items)

Lodging						
Hotels, Inns, Bed and Breakfast, and Hostels	C	C	-	C	C	
Campgrounds [6]	C	-	-	-	-	
Recreational Vehicle Parks	C	-	-	-	-	
Utilities, Major	C	C	C	C	C	
Utilities, Minor	P	P	P	P	P	
Wireless Communications Facilities	See Chapter 17.104					
Other Uses						
Access Roadways	C	C	C	C	C	
Accessory Structures and Uses, New	C [7]	C	C	C	C	
Accessory Structures and Uses Established Prior to Primary Use or Structure	C	C	-	C	-	
Change of Visitor Serving Commercial Uses within a Structure	C [8]	-	-	-	-	
Food Service Accessory to a Lodging Use [9]	C	C	-	C	C	
Home Occupations	C	-	-	-	-	Section 17.96.04 30
Expansion of a Legal Nonconforming Use within an Existing Structure	C	-	-	-	-	
Legal Nonconforming Use Changed to a Use of a Similar or More Restricted Nature	C	-	-	-	-	
Live Entertainment	C	C	C	-	-	
Offices Accessory to Visitor Serving Use	C	C	C	C	-	
Parking Areas to Serve the Primary Use	C	C	C	C	C	
Retail Accessory to a Visitor Serving Use	C	C	-	C	-	
Temporary Assemblages of People, such as Festivals, Fairs, and Community Events	C [10]	C [10]	C [10]	C [11]	-	
Weddings	C	C	C	C	-	

Notes:

- [1] Permitted only as an accessory use.
- [2] Multi-family dwellings shall comply with development standards in the Multi-Family Residential, Medium Density (RM-M) zoning district.
- [3] Single-family dwellings shall comply with development standards in the Single-Family Residential (R-1) zoning district.
- [4] May not be located within 200 feet of the boundary of a residential zoning district.
- [5] Drive up and car service is not allowed.
- [6] May include moderate intensity recreational uses, including tent platforms, cabins, parks, stables, bicycle paths, restrooms, and interpretive facilities.
- [7] Intensification of the primary use is not allowed.
- [8] The new use may not change the nature or intensity of the commercial use of the structure.
- [9] Permitted only to serve guests of the lodging use.
- [10] Events may not exceed 10 days and may not involve construction of permanent facilities.
- [11] Limited to a single two-day or less event per year.
- [12] Allowed in conjunction with visitor accommodation use or grant of public access to a viewpoint.

Attachment: 17.28_Visitor Serving Zoning Districts (Continued Zoning Code Items)



Note: For the Monarch Cove property, Coastal Commission staff requested allowing single-family homes only in conjunction with visitor accommodation use. The Planning Commission recommended adding “or a grant of public access to a public viewpoint.”

B. Civic Uses in the VS-R Overlay Subzone. The Planning Commission may allow additional civic uses in the VS-R overlay subzone beyond those specifically identified in Table 17.28-1 if the Planning Commission finds the additional civic use to be consistent with the purpose of the VS-R overlay subzone and compatible with existing uses present on the site.

17.28.030 Development Standards

A. General. Table 17.28-2 identifies development standards that apply in the VS overlay zone outside of the Mixed Use Village (MU-V) zoning district

TABLE 17.28-2: DEVELOPMENT STANDARDS IN THE VISITOR SERVING ZONING DISTRICTS

	VS Overlay Zone	Additional Standards
Parcel Area, Minimum	5,000 sq. ft	
Impervious Surface, Maximum	VS-R: 25% VS-SB, VS-MC & VS-ES: 50% [1] VS-G: No maximum	
Floor Area Ratio, Maximum	0.25	
Setbacks, Minimum	See Section 17.28.0340.B	
Height, Maximum	30 ft.	17.28.0340.C

Notes:

[1] In the VS-SB overlay subzone, the impervious surface requirement applies to the parcel located directly adjacent to Soquel Creek. In the VS-ES overlay subzone, the impervious surface calculation excludes the portion of parcel 036-142-28 located outside of the Monarch Cove Inn.

B. Setbacks. The following setback requirements apply in the VS overlay zone.

1. The Planning Commission may require front, side and rear setbacks through the Design Review process to provide adequate light and air, ensure sufficient distance between adjoining uses to minimize any incompatibility, and to promote excellence of development. Where a side or rear yard abuts residential property, a setback of at least 10 feet shall be provided.
2. Front and exterior side yards shall not be used for required parking facilities.
3. For the visitor-serving El Salto parcels located adjacent to the bluff top, new development shall adhere to the setback and development provision provided in the LCP natural hazards policies and in Chapter 17.68 (Geologic Hazards).

Attachment: 17.28_Visitor Serving Zoning Districts (Continued Zoning Code Items)

4. To protect the waters and riparian habitat of Soquel Creek, new development on the Shadowbrook Restaurant and Rispin parcels shall adhere to the LCP natural systems policies and Chapter 17.64 (Environmentally Sensitive Habitat Areas).
- C. Height Exceptions.** With a recommendation from the Planning Commission, the City Council may approve additional height up to a maximum of 36 feet in the VS overlay zone outside of the MU-V zoning district when all of the following findings can be made:
1. The proposed development and design is compatible with existing land uses in surrounding areas, the General Plan, and the LCP.
 2. Streets and thoroughfares are suitable and adequate to serve the proposed development.
 3. The proposed development does not produce shadows which may adversely affect the enjoyment of adjacent streets, buildings, or open space.
 4. Major public views of the shoreline, as identified in Capitola's Local Coastal Program, are not blocked by the proposed development.
- D. Landscaping.** See Table 17.72-2 in Chapter 17.72 (Landscaping) for minimum required landscaping requirements for Visitor Serving Properties.
- E. Lighting.** In addition to outdoor lighting standards in Section 17.96.110, (Outdoor Lighting), the following lighting requirements apply in the VS overlay zone:
1. All exterior lighting shall be minimized, unobtrusive, down-directed and shielded using the best available dark skies technology, harmonious with the local area, and constructed or located so that only the area intended is illuminated and off-site glare is fully controlled- and that light spill, sky glow and glare impacts are minimized.
 - ~~1.2.~~ -Lighting of natural areas (such as creeks, riparian areas, the beach, etc.) shall be prohibited past the minimum amount that might be necessary for public safety purposes, except when temporarily permitted in conjunction with a temporary event.
 - ~~2.3.~~ The location, type and wattage of exterior lighting must be approved by the Community Development Director prior to the issuance of building permits or the establishment of the use.
- F. Coastal Development Permit.** If a proposed development is located in the coastal zone, it may require a Coastal Development Permit (CDP) as specified in Chapter 17.44 (Coastal Overlay Zone). Approval of a CDP requires conformance with the CDP findings for approval as specified in 17.44.130 (Findings for Approval).

Chapter 17.76 - PARKING AND LOADING

Sections:

- 17.76.010 Purpose
- 17.76.020 Applicability
- 17.76.030 Required Parking Spaces
- 17.76.040 General Requirements
- 17.76.050 On-site Parking Alternatives
- 17.76.060 Parking Design and Development Standards
- 17.76.070 Parking Lot Landscaping
- 17.76.080 Bicycle Parking
- 17.76.090 Visitor-Serving Parking
- 17.76.100 On-site Loading

17.76.010 Purpose

This chapter establishes on-site parking and loading requirements in order to:

- A. Provide a sufficient number of on-site parking spaces for all land uses.
- B. Provide for functional on-site parking areas that are safe for vehicles and pedestrians.
- C. Ensure that parking areas are well-designed and contribute to a high-quality design environment in Capitola.
- D. Allow for flexibility in on-site parking requirements to support a multi-modal transportation system and sustainable development pattern.
- E. Ensure that on-site parking areas do not adversely impact land uses on neighboring properties.

17.76.020 Applicability

This chapter establishes parking requirements for three development scenarios: establishment of new structures and uses, replacement of existing uses, and expansion and enlargement of existing structures and uses.

- A. **New Structures and Uses.** On-site parking and loading as required by this chapter shall be provided anytime a new structure is constructed or a new land use is established.
- B. **Replacing Existing Uses.**
 1. Mixed Use Village Zoning District.
 - a. Where an existing residential use is changed to a commercial use in the Mixed Use Village (MU-V) zoning district, parking shall be provided for the full amount required by the new use. No space credit for the previous use may be granted.
 - b. In all other changes of use in the Mixed Use Village (MU-V) zoning district,

additional parking is required to accommodate the incremental intensification of the new use. Additional parking is not required to remedy parking deficiencies existing prior to the change in use.

2. **Other Zoning Districts.** Where an existing use is changed to a new use outside of the Village Mixed Use (MU-V) zoning district, additional parking is required to accommodate the incremental intensification of the new use. Additional parking is not required to remedy parking deficiencies existing prior to the change in use.

C. Expansions and Enlargements.

1. Nonresidential Use.

- a. Where an existing structure with a nonresidential use is expanded or enlarged, additional parking is required to serve only the expanded or enlarged area, except as allowed by subparagraph b below.
 - b. Within the Mixed Use Village (MU-V) zoning district, an eating and drinking establishment may expand by up to 20 percent of the existing floor area of the business without providing additional parking. Permitted expansions include modification of the internal building layout to enlarge the dining area, additions to the size of the business within an existing building footprint, and new outdoor dining areas.
2. **Residential Use.** For an existing structure with a residential use, the full amount of parking to serve the use is required when the floor area is increased by more than ten percent.

17.76.030 Required Parking Spaces

- A. **Mixed Use Village Zoning District.** All land uses in the Mixed Use Village (MU-V) zoning district shall provide the minimum number of on-site parking spaces as specified in Table 17.76-1. Required parking for uses not listed in Table 17.76-1 shall be the same as required for land uses in other zoning districts as shown in Table 17.76-2.

TABLE 17.76-1: REQUIRED ON-SITE PARKING IN THE MIXED USE VILLAGE ZONING DISTRICT

Land Uses	Number of Required Parking Spaces
	Mixed Use Village (MU-V)
Retail	1 per 240 sq. ft.
Eating and Drinking Establishments	
Bars and Lounges	1 per 60 sq. ft. of floor area for dining and/or drinking; 1 per 240 sq. ft. for all other floor area
Restaurants and Cafes	1 per 60 sq. ft. of floor area for dining and/or drinking; 1 per 240 sq. ft. for all other floor area
Take-Out Food and Beverage	1 per 240 sq. ft.
Personal Services	1 per 240 sq. ft.
Hotels	
With more than 20 guest rooms	As determined by a parking demand study [1]
With 20 or fewer guest rooms	1 per guest room plus additional spaces as required by the Planning Commission
<p><u>Notes:</u> [1] The Parking Demand Study shall be paid for by the applicant, contracted by the City, and approved by the Planning Commission. In the coastal zone, in all cases, hotel development shall provide adequate parking and shall not negatively impact existing public parking opportunities, as determined by the Planning Commission.</p>	

B. Other Zoning Districts. Land uses in zoning districts other than the Mixed Use Village zoning district shall provide a minimum number of on-site parking spaces as specified in Table 17.76-2.

TABLE 17.76-2: REQUIRED ON-SITE PARKING IN OTHER ZONING DISTRICTS

Land Uses	Number of Required Parking Spaces
Residential Land Uses	
Duplex Homes	2 per unit, 1 covered
Elderly and Long-Term Care	1 per six beds plus 1 per 300 sq. ft. of office and other nonresidential areas
Group Housing (includes single-room occupancy)	1 per unit plus 1 guest space per 6 units
Mobile Home Parks	1 per unit plus 1 per office and 1 guest space per 10 units
Multi-Family Dwellings	2.5 per unit, 1 covered
Residential Care Facilities, Small	0.5 per bed plus 1 per 300 sq. ft. of office and other nonresidential areas

Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

Residential Care Facilities, Large	0.5 per bed plus 1 per 300 sq. ft. of office and other nonresidential areas
Accessory Dwelling Units	See Chapter 17.74 (Accessory Dwelling Units)
Single-Family Dwellings	1,500 sq. ft. or less: 2 per unit 1,501-2,000 sq. ft.: 2 per unit, 1 covered 2,001-2,600 sq. ft.: 3 per unit, 1 covered 2,601 sq. ft. or more: 4 per unit, 1 covered
Public and Quasi-Public Land Uses	
Community Assembly	1 per 3 fixed seats, or 1 per 40 sq. ft. of assembly area for uses without fixed seats
Cultural Institutions	As determined by a parking demand study
Day Care Centers	1 per 400 sq. ft. of floor area used for daycare and 1 per employee
Government Offices	1 per 300 sq. ft.
Home Day Care, Large	1 per each non-resident employee
Home Day Care, Small	None beyond minimum for residential use
Medical Offices and Clinics	1 per 300 sq. ft.
Parks and Recreational Facilities	As determined by a parking demand study
Public Safety Facilities	As determined by a parking demand study
Schools, Public or Private	2 per classroom
Commercial Land Uses	
Banks and Financial Institutions	1 per 300 sq. ft.
Business Services	1 per 300 sq. ft.
Commercial Entertainment and Recreation	1 per 3 fixed seats, or 1 per 40 sq. ft. of assembly area for uses without fixed seats
Eating and Drinking Establishments	
Bars and Lounges	1 per 60 sq. ft. of floor area for dining and/or drinking 1 per 300 sq. ft. for all other floor area
Restaurants and Cafes	1 per 60 sq. ft. of floor area for dining and/or drinking 1 per 300 sq. ft. for all other floor area
Take-Out Food and Beverage	1 per 300 sq. ft. of gross floor area

Food Preparation	1 per 1,500 sq. ft. of use area plus 1 per 300 sq. ft. of office area
Gas and Service Stations	2 for gas station plus 1 per 100 sq. ft. of retail and as required for vehicle repair
Lodging	
Bed and Breakfast	1 per guest room plus parking required for residential use
Hotel	1 per guest room plus 1 per 300 sq. ft. of office
Maintenance and Repair Services	1 per 600 sq. ft.
Personal Services	1 per 300 sq. ft.
Professional Offices	1 per 300 sq. ft.
Salvage and Wrecking	1 per 500 sq. ft. of building area plus 1 per 0.5 acre of outdoor use area.
Self-Storage	1 per 5,000 sq. ft.
Retail	1 per 300 sq. ft. of customer area
Vehicle Repair	1 per 500 sq. ft. of non-service bay floor area plus 2 per service bay
Vehicle Sales and Rental	1 per 300 sq. ft. for offices plus 1 per 1,000 sq. ft. of display area and requirements for vehicle repair where applicable
Wholesale	1 per 5,000 sq. ft.
Heavy Commercial and Industrial Land Uses	
Construction and Material Yards	1 per 2,500 sq. ft.
Custom Manufacturing	1 per 2,000 sq. ft., plus 1 per 300 sq. ft. of office
Light Manufacturing	1 per 1,500 sq. ft. of use area plus 1 per 300 sq. ft. of office
Warehouse, Distribution, and Storage Facilities	1 per 1,500 sq. ft.
Transportation, Communication, and Utility Uses	
Utilities, Major	As determined by a parking demand study
Utilities, Minor	None
Recycling Collection Facilities	1 per 1,000 sq. ft. of floor area
Wireless Communications Facilities	None

Other Uses	
Accessory Uses	Same as primary use
Home Occupation	None beyond requirement for residence
Quasi-Public Seating Areas	None
Temporary Uses	As determined by review authority
Urban Agriculture	
Home Gardens	None beyond requirement for residence
Community Gardens	None
Urban Farms	As determined by a parking demand study

C. Calculation of Required Spaces.

1. **Floor Area.** Where a parking requirement is a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated. The floor area of a use shall be calculated as described in Section 17.48.040 (Floor Area and Floor Area Ratio). Floor area for the area of the required parking space (i.e. 10 ft. x 20 ft.) within garages and other parking facilities are not included in the calculation of floor area for the purpose of determining on-site parking requirements.
2. **Employees.** Where a parking requirement is stated as a ratio of parking spaces to employees, the number of employees is based on the largest shift that occurs in a typical week.
3. **Seats.** Where a parking requirement is stated as a ratio of parking spaces to seats, each 24 inches of bench-type seating at maximum seating capacity is counted as one seat.
4. **Fractional Spaces.** In determining the number of required parking, fractions of spaces over one-half shall be rounded up to the next whole number.

D. Unlisted Uses. The parking requirement for land uses not listed in Table 17.76-1 and Table 17.76-2 shall be determined by the Community Development Director based on the requirement for the most comparable similar use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.

E. Sites with Multiple Uses. Where more than one land use is conducted on a site, the minimum number of required on-site parking spaces shall be the sum of the number of parking spaces required for each individual use.

F. Additional Required Parking. The Planning Commission may require more on-site parking than required by Table 17.76-1 and Table 17.76-2 if the Planning Commission determines that additional parking is needed to serve the proposed use and to minimize adverse impacts on neighboring properties.

17.76.040 General Requirements

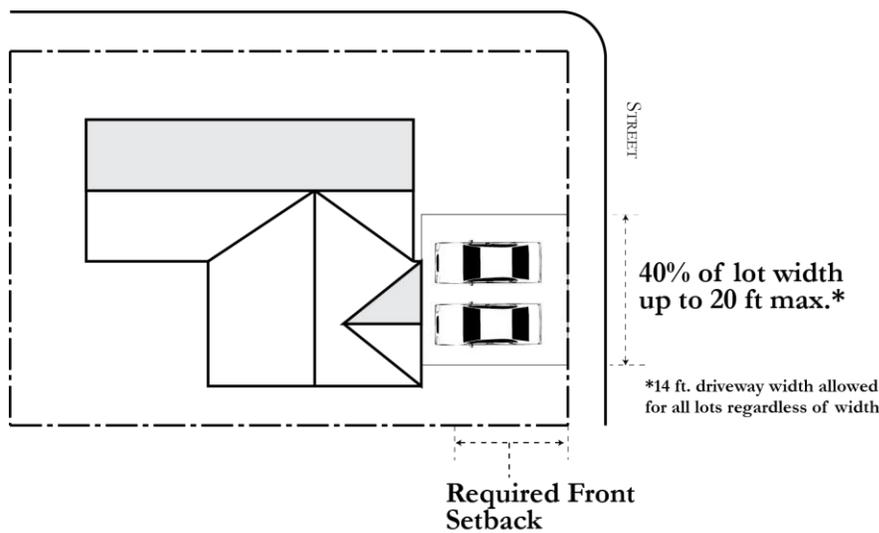
A. Availability and Use of Spaces.

1. In all zoning districts, required parking spaces shall be permanently available and maintained to provide parking for the use they are intended to serve.
2. Owners, lessees, tenants, or persons having control of the operation of a use for which parking spaces are required shall not prevent or restrict authorized persons from using these spaces.
3. A Conditional Use Permit is required to designate parking spaces for exclusive use by an individual tenant within an integrated commercial complex.
4. Required parking spaces shall be used exclusively for the temporary parking of vehicles and shall not be used for the sale, lease, display, repair, advertising, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, or equipment, or for any other use not authorized by the Zoning Code.

B. Parking in Front and Exterior Side Setback Areas.

1. **R-1 Zoning District.** In the R-1 zoning district, the width of a parking space in the required front or exterior side setback area may not exceed 40 percent of lot width up to a maximum of 20 feet, except that all lots may have a parking space of up to 14 feet in width regardless of lot width. See Figure 17.76-1. The Planning Commission may allow a larger parking area within the required front and exterior side setback areas with a Design Permit if the larger parking area incorporates design features, such as impervious materials and enhanced landscaping, which minimize visual impacts to the neighborhood.

FIGURE 17.76-1: PARKING IN FRONT SETBACK AREA IN R-1 ZONING DISTRICT



2. Other Zoning Districts.

- a. In all zoning districts other than the R-1 zoning district, required parking spaces may not be located within required front or exterior side setback areas.
- b. In the Mixed Use Village zoning district, parking may be located adjacent to the street-facing property line in accordance with Section 17.20.030.E.5 (Parking Location and Buffers).
- c. In the Mixed Use Neighborhood zoning district, parking may be located in the front or exterior side setback area if approved by the Planning Commission in accordance with Section 17.20.040.E (Parking Location and Buffers).

C. Location of Parking.

1. **All Zoning Districts.** Required parking spaces may not be located within any public or private right-of-way unless located in a sidewalk exempt area and if an Encroachment Permit is granted.
2. **R-1 Zoning District.** Required parking spaces in the R-1 zoning district shall be on the same parcel as the use that they serve.
3. **MU-V Zoning District.** Required parking ~~spaces in the MU-V district~~ for new ~~non-residential~~ development and intensified uses ~~in the MU-V zoning district~~ shall be provided ~~on sites outside of in compliance with the Village area. These spaces shall be within walking distance of the use which it serves or at remote sites served by a shuttle system. The Planning Commission may approve exceptions to allow on-site parking in the MU-V district for:~~ following:
 - a. ~~The Capitola Theater site (APNs 035-262-04, 035-262-02, 035-262-11, and 035-261-10) may accommodate limited onsite parking to serve ADA guests and a valet or similar shuttle system; however, offsite parking is strongly encouraged to the maximum extent feasible. For any parking located onsite, driveway cuts shall be minimized and parking areas will not be located on along the interior street frontage of the site; and~~
 - a. ~~The Mercantile site (APN 035-221-17) if The Planning Commission may approve onsite parking as follows:~~
 - (1) ~~For property fronting a Commercial Core street shown in Figure 17.76-2, onsite parking is allowed if access to parking is from a side street, alleyway, or existing driveway cut. New driveway cuts are minimized to the extent possible and prohibited along a Commercial Core street frontage.~~
 - (1)(2) ~~For the Capitola Theater and Mercantile sites, onsite parking is allowed if parking areas are located on the interior of the site; (s) and do not directly abut a Commercial Core street. Driveway cuts to serve onsite parking are limited to one cut per site; however, the Planning Commission may approve additional driveway cuts if 1) a parking and circulation study shows that additional access is necessary to reasonably serve the use; and 2)~~

driveway cuts are located and designed to preserve or enhance pedestrian and vehicle safety.

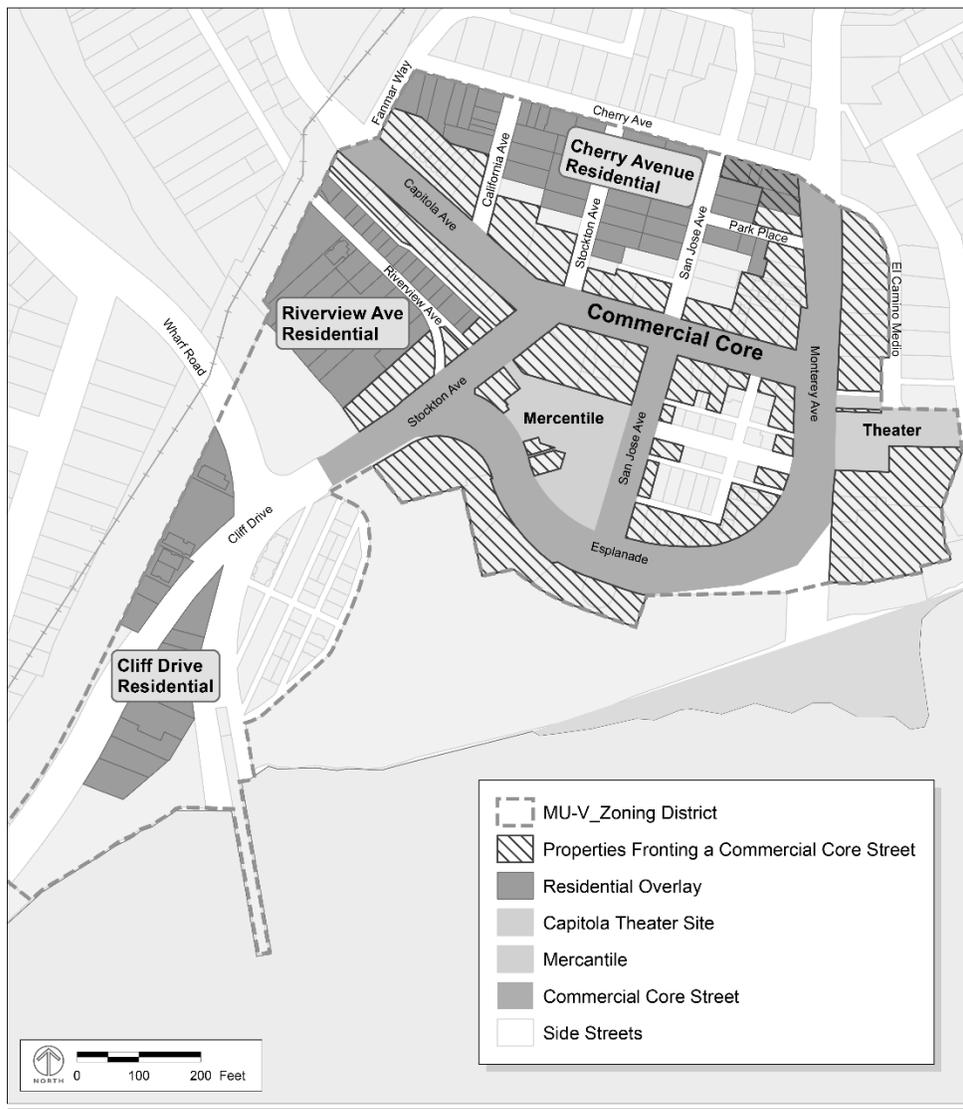
(3) ~~Within the Riverview Avenue, Cherry Avenue, and Cliff Drive residential overlays.~~

(4) On properties that do not front a Commercial Core street.

(5) As mandated ~~under~~by Federal Emergency Management Agency (FEMA) regulations ~~and as consistent with.~~

b. The Planning Commission may permit off-site parking for non-residential uses if the ~~certified Local Coastal Program~~ space(s) are within walking distance of the use which it serves or located at a remote site served by a shuttle system.

FIGURE 17.76-2: MU-V PARKING LOCATION MAP



Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

4. **Other Zoning Districts.** In all zoning districts other than the R-1 and MU-V zoning districts, required parking shall be located on the same lot as the use the parking is intended to serve, except as allowed by Section 17.76.050.D below.

D. Large Vehicle Storage in the R-1 Zoning District. In addition to the required on-site parking spaces for a single-family dwelling, one additional on-site parking or storage space may be provided on a parcel in the R-1 zoning district for a recreational vehicle, boat, camper, or similar vehicle. This space may not be located in a required front or exterior side setback area and may be utilized only to store a vehicle that does not exceed 13.5 feet in height, 8.5 feet in width, and 25 feet in length. Such parking or storage spaces shall be finished in concrete, asphalt, semi-permeable pavers, or a similar paved surface.

E. Covered Parking in the R-1 Zoning District.

1. When required by this chapter, covered parking spaces serving a single-family dwelling shall be provided within an enclosed garage. The Planning Commission may allow required covered parking spaces to be provided within an open carport with a Design Permit if the Planning Commission finds that a garage is practically infeasible or that a carport results in a superior project design.
2. All carports serving a single-family dwelling shall comply with the following design standards:
 - a. Carports shall be designed with high quality materials, compatible with the home. The roofing design, pitch, colors, exterior materials and supporting posts shall be similar to the home. The carport shall appear substantial and decoratively finished in a style matching the home which it serves.
 - b. The slope of a carport roof shall substantially match the roof slope of the home which it serves.
 - c. Pedestrian pathways connecting the carport with the home shall be provided.
3. Garages in the R-1 zoning district may be converted to habitable living space only if the total number of required on-site parking spaces is maintained, including covered spaced for the covered parking space requirement.

F. Electric Vehicle Charging.

1. **When Required.** Electric vehicle charging stations shall be provided:
 - a. For new structures or uses required to provide at least 25 parking spaces; and
 - b. Additions or remodels that increase an existing parking lot of 50 for more spaces by 10 percent or more.
2. **Number of Charging Stations.** The number of required charging stations shall be calculated as follows:
 - a. 25-49 parking spaces: 1 charging station.
 - b. 50-100 parking spaces: 2 charging stations, plus one for each additional 50

parking spaces.

- c. For the purpose of calculating required number of charging stations, parking spaces shall include existing and proposed spaces.
3. **Location and Signage.** Charging stations shall be installed adjacent to standard size parking spaces. Signage shall be installed designating spaces with charging stations for electric vehicles only.

G. Parking for Persons with Disabilities.

1. Parking spaces for persons with disabilities shall be provided in compliance with California Code of Regulations Title 24.
2. Parking spaces required for the disabled shall count toward compliance with the number of parking spaces required by Table 17.76-1 and Table 17.76-2.

H. Curb-side Service.

1. Curb-side (drive-up) service for retail uses is allowed in all commercial and mixed-use zoning districts.
2. Restaurant curb-side service requires a Conditional Use Permit in the Regional Commercial (C-R) zoning district and is prohibited in all other zoning districts.

17.76.050 On-site Parking Alternatives

A. Purpose. This section identifies alternatives to required on-site parking to:

1. Allow for creative parking solutions;
2. Enhance economic vitality in Capitola;
3. Promote walking, biking, and use of transit; and
4. Encourage the efficient use of land resources consistent with the General Plan.

B. Eligibility. Alternatives to required on-site parking in this section are available only to uses located outside of the Mixed Use Village zoning district, except for:

1. Valet parking (Subsection F) which is available in all zoning districts, including the Mixed Use Village zoning district; and
2. Fees in-lieu of parking (Subsection I), which is available only to uses in the Mixed Use Village zoning district.

C. Required Approval. All reductions in on-site parking described in this section require Planning Commission approval of a Conditional Use Permit.

D. Off-Site Parking.

1. For multi-family housing and non-residential uses, the Planning Commission may allow off-site parking if the Commission finds that practical difficulties prevent the parking from being located on the same lot it is intended to serve.

2. Off-site parking shall be located within a reasonable distance of the use it is intended to serve, as determined by the Planning Commission.
3. A deed restriction or other legal instrument, approved by the City Attorney, shall be filed with the County Recorder. The covenant record shall require the owner of the property where the on-site parking is located to continue to maintain the parking space so long as the building, structure, or improvement is maintained in Capitola. This covenant shall stipulate that the title and right to use the parcels shall not be subject to multiple covenant or contract for use without prior written consent of the City.

E. Shared Parking. Multiple land uses on a single parcel or development site may 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. The Planning Commission may allow shared parking subject to the following requirements:

1. A parking demand study prepared by a specialized consultant contracted by the Community Development Director, paid for by the applicant, and approved by the Planning Commission demonstrates that there will be no substantial conflicts between the land uses' principal hours of operation and periods of peak parking demand.
2. The total number of parking spaces required for the land uses does not exceed the number of parking spaces anticipated at periods of maximum use.
3. The proposed shared parking facility is located no further than 400 feet from the primary entrance of the land use which it serves.
4. In the Mixed Use Neighborhood (MU-N) zoning district the reduction for shared parking is no greater than 25 percent of the required on-site parking spaces.

F. Valet Parking. The Planning Commission may allow up to 25 percent of the required on-site parking spaces to be off-site valet spaces (except for a hotel on the former Village theatre site (APNs 035-262-04, 035-262-02, and 035-261-10) for which there is no maximum limit of off-site valet spaces). Valet parking shall comply with the following standards:

1. Valet parking lots must be staffed when business is open by an attendant who is authorized and able to move vehicles.
2. A valet parking plan shall be reviewed and approved by the Community Development Director in consultation with the Public Works Director.
3. Valet parking may not interfere with or obstruct vehicle or pedestrian circulation on the site or on any public street or sidewalk.
4. The use served by valet parking shall provide a designated drop-off and pick-up area. The drop-off and pick-up area may be located adjacent to the building, but it may not be located within a fire lane, impede vehicular and/or pedestrian circulation, or cause queuing in the right-of-way or drive aisle.

G. Low Demand. The number of required on-site parking spaces may be reduced if the Planning Commission finds that the land use will not utilize the required number of spaces due to the nature of the specific use. This finding shall be supported by the results of a parking demand study approved by the Community Development Director in consultation with the Public Works Director.

H. Transportation Demand Management Plan. The Planning Commission may reduce the number of required on-site parking spaces for employers that adopt and implement a Transportation Demand Management (TDM) Plan subject to the following requirements and limitations:

1. A TDM Plan reduction is available only to employers with 25 or more employees.
2. Required on-site parking spaces may be reduced by no more than 15 percent.
3. The TDM Plan shall be approved by the Community Development Director in consultation with the Public Works Director.
4. The TDM Plan shall identify specific measures that will measurably reduce the demand for on-site parking spaces. Acceptable measures must ensure a reduced demand for parking spaces (e.g., an employee operated shuttle program). Measures that only encourage the use of public transit, ridesharing, biking, or walking will not be accepted.
5. The employer shall appoint a program coordinator to oversee transportation demand management activities.
6. The program coordinator must provide a report annually to the Planning Commission that details the implementation strategies and effectiveness of the TDM Plan.
7. The Planning Commission may revoke the TDM Plan at any time and require additional parking spaces on site upon finding that that the Plan has not been implemented as required or that the Plan has not produced the reduction the demand for on-site parking spaces as originally intended.

I. Fees in Lieu of Parking

1. Within the MU-V zoning district, on-site parking requirements for hotel uses may be satisfied by payment of an in-lieu parking fee established by the City Council ~~in an amount equal to the cost~~ to provide an equivalent number of parking spaces in a municipal parking lot. Such payment must be made before issuance of a building permit or a certificate of occupancy. Requests to participate in an in-lieu parking program must be approved by the City Council. A proposed hotel may require a Coastal Development Permit as specified by Chapter 17.44 (Coastal Overlay Zones) if any part of the site is located in the Coastal Zone. A parking plan shall be reviewed within a CDP, to ensure the development will not have adverse impacts on coastal resources.
2. Fee revenue must be used to provide public parking in the vicinity of the use. In

establishing parking districts, the City Council may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered.

- J. Transit Center Credit.** Provided a regional transit center is located within the Capitola Mall property, the Planning Commission may reduce the number of required parking spaces by up to 10 percent for residential mixed-use projects in the Capitola Mall property bounded by Clare’s Street, Capitola Road, and 41st Avenue.

17.76.060 Parking Design and Development Standards

- A. Minimum Parking Space Dimensions.** Minimum dimensions of parking spaces shall be as shown in Table 17.76.3.

TABLE 17.76-3: MINIMUM PARKING SPACE DIMENSIONS

Type of Space	Minimum Space Dimensions
Spaces Serving Single-Family Dwellings	
Uncovered and covered (garage) spaces	10 ft. by 20 ft. [1]
In sidewalk exempt areas	10 ft. by 18 ft.
Spaces Serving Multi-Family and Non-Residential Uses	
Standard Spaces	9 ft. by 18 ft.
Compact Spaces	8 ft. by 16 ft.
Tandem Spaces [2]	9 ft. by 18 ft.

Notes:

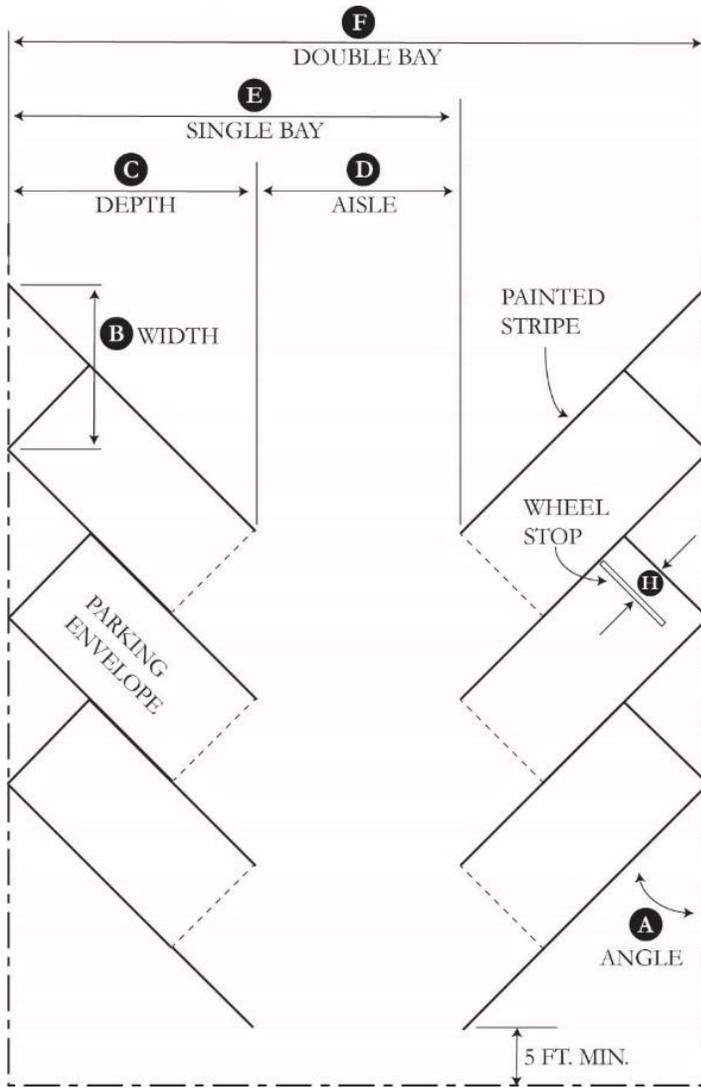
[1] The dimensions of parking spaces in an enclosed garage shall be measured from the interior garage walls.

[2] See Section 17.76.060.E.3 (Tandem Parking Spaces)

- B. Compact Spaces.** A maximum of 30 percent of required on-site parking spaces serving multi-family and non-residential uses may be compact spaces. All parking spaces for compact cars shall be clearly marked with the word “Compact” either on the wheel stop or curb, or on the pavement at the opening of the space.
- C. Parking Lot Dimensions.** The dimensions of parking spaces, maneuvering aisles, and access ways within a parking lot shall conform to the City’s official parking space standard specifications maintained by the Public Works Director and as shown in Figure 17.76-23 and Table 17.76-4.

Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

FIGURE 17.76-23: STANDARD PARKING LOT DIMENSIONS



Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

TABLE 17.76-4: STANDARD PARKING LOT DIMENSIONS

A Parking Angle	B Width		C Depth		D Aisle			E Single Bay			F Double Bay		
	Compact	Standard	Compact	Standard	Compact	Residential	Commercial	Compact	Residential	Commercial	Compact	Residential	Commercial
90	7'-6"	8'-6"	15'-0"	18'-0"	20'-0"	22'-0"	25'-0"	35'-0"	40'-0"	43'-0"	50'-0"	58'-0"	61'-0"
85	7'-7"	8'-6"	15'-7"	18'-8"	19'-0"	21'-0"	24'-0"	34'-7"	39'-8"	42'-8"	50'-2"	58'-4"	61'-0"
80	7'-8"	8'-7"	16'-1"	19'-2"	18'-0"	20'-0"	23'-0"	34'-1"	39'-2"	42'-4"	50'-2"	58'-4"	61'-0"
75	7'-9"	8'-10"	16'-5"	19'-7"	17'-0"	19'-0"	22'-0"	33'-5"	38'-7"	41'-7"	49'-10"	58'-2"	61'-0"
70	8'-0"	9'-0"	16'-9"	19'-10"	16'-0"	18'-0"	21'-0"	32'-9"	37'-10"	40'-10"	49'-6"	57'-8"	66'-8"
65	8'-4"	9'-4"	16'-10"	19'-11"	15'-0"	17'-0"	20'-0"	31'-10"	36'-11"	39'-11"	48'-8"	56'-10"	59'-10"
60	8'-8"	9'-10"	16'-9"	19'-10"	14'-0"	16'-0"	19'-0"	30'-9"	35'-10"	38'-10"	47'-6"	55'-8"	58'-8"
55	9'-1"	10'-4"	16'-7"	19'-7"	13'-0"	15'-0"	18'-0"	29'-7"	34'-7"	37'-7"	46'-2"	54'-2"	57'-2"
50	9'-10"	11'-1"	16'-4"	19'-2"	12'-0"	14'-0"	17'-0"	28'-4"	33'-2"	36'-2"	44'-8"	52'-4"	55'-4"
45	10'-7"	12'-0"	15'-11"	18'-8"	11'-0"	13'-0"	16'-0"	25'-5"	30'-0"	33'-0"	42'-10"	50'-4"	53'-4"
40	11'-8"	13'-2"	15'-15"	18'-0"	10'-0"	12'-0"	15'-0"	24'-8"	28'-2"	31'-2"	40'-10"	48'-0"	51'-0"
35	13'-1"	14'-10"	14'-8"	17'-2"	10'-0"	11'-0"	14'-0"	24'-0"	26'-2"	29'-2"	39'-4"	45'-4"	48'-4"
30	15'-3"	17'-0"	14'-0"	16'-2"	10'-0"	10'-0"	13'-0"	35'-0"	40'-0"	43'-0"	38'-0"	42'-4"	45'-4"

Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

D. Surfacing.

1. All parking spaces, maneuvering aisles, and access ways shall be paved with asphalt, concrete, or other all-weather surface.
2. Permeable paving materials, such as porous concrete/asphalt, open-jointed pavers, and turf grids, are a preferred surface material, subject to approval by the Public Works Director.

E. Tandem Parking Spaces. Tandem parking spaces are permitted for all residential land uses, provided that they comply with the following standards:

1. Parking spaces in a tandem configuration shall be reserved for and assigned to a single dwelling unit.
2. For single-family dwellings, tandem parking is permitted for up to two uncovered spaces in front of a garage, with a maximum of three tandem spaces, including the covered space in a single garage. Tandem parking spaces of three spaces or more require Planning Commission approval.
3. The minimum size of an uncovered tandem parking space may be reduced to 9 feet by 18 feet.
4. All required guest parking shall be provided as single, non-tandem parking spaces.
5. Tandem parking spaces shall not block the use of the driveway to access other parking spaces located within the parking area.
6. Tandem parking spaces shall be used to accommodate passenger vehicles only.

F. Parking Lifts. Required parking may be provided using elevator-like mechanical parking systems (“lifts”) provided the lifts are located within an enclosed structure or otherwise screened from public view. Parking lifts shall be maintained and operable through the life of the project.**G. Lighting.**

1. A parking area with six or more parking spaces shall include outdoor lighting that provides adequate illumination for public safety over the entire parking area.
2. Outdoor lighting as required above shall be provided during nighttime business hours.
3. All parking space area lighting shall be energy efficient and directed away from residential properties to minimize light trespass.
4. All fixtures shall be hooded and downward facing so the lighting source is not directly visible from the public right-of-way or adjoining properties.
5. All fixtures shall meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light (“dark sky compliant”).

H. Pedestrian Access.

1. Parking lots with more than 30 parking spaces shall include a pedestrian walkway in compliance with ADA requirements.
 2. The design of the pedestrian walkway shall be clearly visible and distinguished from parking and circulation areas through striping, contrasting paving material, or other similar method as approved by the Community Development Director.
- I. Screening.** Parking lots of six spaces or more shall comply with the following screening standards.
1. **Location.** Screening shall be provided along the perimeter of parking lots fronting a street or abutting a residential zoning district.
 2. **Height.**
 - a. Screening adjacent to streets shall have a minimum height of 3 feet.
 - b. For parking lots within 10 feet of a residential zoning district, screening shall have a minimum height of 6 feet, with additional height allowed with Planning Commission approval.
 3. **Materials – General.** Required screening may consist of one or more of the following materials (see Section 17.76.070 (Parking Lot Landscaping) for landscaping screening requirements):
 - a. Low-profile walls constructed of brick, stone, stucco or other durable material
 - b. Evergreen plants that form an opaque screen.
 - c. An open fence combined with landscaping to form an opaque screen.
 - d. A berm landscaped with ground cover, shrubs, or trees.
 4. **Materials – Adjacent Residential.** Parking lots within 10 feet of a residential zoning district shall be screened by a masonry wall.
- J. Drainage.** A drainage plan for all parking lots shall be approved by the Public Works Director.
- K. Adjustments to Parking Design and Development Standards.** The Planning Commission may allow adjustments to parking design and development standards in this section through the approval of a Minor Modification as described in Chapter 17.136 (Minor Modifications).

17.76.070 Parking Lot Landscaping

- A. General Standards.** All landscaping within parking lots shall comply with the requirements of Chapter 17.72 (Landscaping) in addition to the standards within this section.
- B. Landscaping Defined.** Except as otherwise specified in this section, landscaping and landscaped areas shall consist of plant materials, including any combination of trees, shrubs, and ground cover.

- C. Interior Landscaping.** All areas within a parking lot not utilized for parking spaces or access/circulation shall be landscaped. For parking lots with more than 15 spaces, the minimum amount of interior landscaping is specified in Table 17.76-5. Interior landscaping is defined as any landscaped area surrounded on at least two sides by parking spaces or drive aisles, and excluding areas around the perimeter of the parcel or development site.

TABLE 17.76-5: MINIMUM REQUIRED PARKING LOT LANDSCAPING

Number of Required Parking Spaces	Percent of Surface Parking Area to be Landscaped
16 to 30	10%
31 to 60	15%
Over 60	20%

D. Shade Trees.

- One shade tree shall be provided for every five parking spaces in a parking lot.
- Shade trees shall be a minimum 24-inch box in size and shall provide a minimum 30-foot canopy at maturity.
- Shade trees shall be of a type that can reach maturity within 15 years of planting and shall be selected from a City-recommended list of canopy tree species.
- Shade trees shall be arranged in a parking lot to provide maximum shade coverage (based on a 30-foot canopy) on August 21. The arrangement should approximate nearly 50 percent shade coverage.
- The Planning Commission may grant an exception to the required tree plantings if the 50% shade coverage exists within the parking lot.

E. Concrete Curbs.

- All landscape areas shall be separated from parking spaces, drive aisles and driveways by a continuous, raised concrete curb. Raised concrete curbs shall be a minimum of 4 inches high by 4 inches deep.
- The City may approve alternatives to raised concrete curbs as needed to comply with any mandatory stormwater drainage standards.

- F. Parking Space Landscaping.** A maximum of 2 feet at the front end of a parking space may be landscaped with low shrubs or ground cover in which a vehicle could extend over in lieu of paving surface. This landscaping may not count toward minimum required parking lot landscaped area.

- G. Timing.** Landscaping shall be installed prior to the City's authorization to occupy any

buildings served by the parking area, or prior to the final inspection for the parking lot.

H. Green Parking Exemptions. Parking lots that incorporate solar panels, bioswales, and other similar green features into the parking lot design are eligible for reduced parking lot landscaping requirements with Planning Commission approval of a Design Permit.

I. Exceptions. The Planning Commission may grant an exception to the parking lot landscaping requirements in this section with the approval of a Design Permit upon finding that:

- 1. Full compliance with the requirement is infeasible or undesirable;
- 2. The project complies with the requirement to the greatest extent possible; and
- 3. The project incorporates other features to compensate for the exception and create a high quality design environment.

17.76.080 Bicycle Parking

A. Applicability. All new multi-family developments of 5 units or more and commercial uses served by parking lots of 10 spaces or more shall provide bicycle parking as specified in this section.

B. Types of Bicycle Parking.

- 1. **Short-Term Bicycle Parking.** Short-term bicycle parking provides shoppers, customers, messengers and other visitors who generally park for two hours or less a convenient and readily accessible place to park bicycles.
- 2. **Long-Term Parking.** Long-term bicycle parking provides employees, residents, visitors and others who generally stay at a site for several hours or more a secure and weather-protected place to park bicycles. Long-term parking may be located in publicly accessible areas or in garages or other limited access areas for exclusive use by tenants or residents.

C. Bicycle Parking Spaces Required. Short-term and long-term bicycle parking spaces shall be provided as specified in Table 17.76-6.

TABLE 17.76-6 REQUIRED BICYCLE PARKING SPACES

Land Use	Required Bicycle Parking Spaces	
	Short-Term Spaces	Long-Term Spaces
Multi-Family Dwellings and Group Housing	10% of required automobile spaces; minimum of 4 spaces	1 per unit
Non-Residential Uses	10% of required automobile spaces	1 per 20 required automobile spaces for uses 10,000 sq. ft. or greater

Attachment: 17.76_Parking with Changes to PC Recommendation (Continued Zoning Code Items)

- D. Short-Term Bicycle Parking Standards.** Short-term bicycle parking shall be located within 100 feet of the primary entrance of the structure or use it is intended to serve.
- E. Long-Term Bicycle Parking Standards.** The following standards apply to long-term bicycle parking:
1. **Location.** Long-term bicycle parking shall be located within 750 feet of the use that it is intended to serve.
 2. **Security.** Long-term bicycle parking spaces shall be secured. Spaces are considered secured if they are:
 - a. In a locked room or area enclosed by a fence with a locked gate;
 - b. Within view or within 100 feet of an attendant or security guard;
 - c. In an area that is monitored by a security camera; or
 - d. Visible from employee work areas.
- F. Parking Space Dimensions.**
1. Minimum dimensions of 2 feet by 6 feet shall be provided for each bicycle parking space.
 2. An aisle of at least 5 feet shall be provided behind all bicycle parking to allow room for maneuvering.
 3. ~~2~~**Two** feet of clearance shall be provided between bicycle parking spaces and adjacent walls, polls, landscaping, pedestrian paths, and other similar features.
 4. ~~4~~**Four** feet of clearance shall be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.
- G. Rack Design.** Bicycle racks must be capable of locking both the wheels and the frame of the bicycle and of supporting bicycles in a fixed position. The Planning Commission may allow creative approaches to rack design (e.g., vertical wall-mounted bicycle racks) if physical site constraints render compliance with bicycle parking design standards impractical or undesirable.
- H. Cover.** If bicycle parking spaces are covered, the covers shall be permanent and designed to protect bicycles from rainfall.

17.76.090 Visitor Serving Parking

- A. Shuttle Program Parking.** Parking for the free summer beach shuttle program shall be provided in a remote lot or lots, such as those located on Bay Avenue and the Village public parking lots. The free shuttle shall operate, at a minimum, on weekends and holidays between Memorial Day weekend and Labor Day weekend.
- B. Public Parking in the Coastal Zone.**
1. Public parking existing as of [date of Zoning Ordinance adoption] in the following

locations in the CF zoning district shall be maintained for public parking:

- a. The Upper City Hall parking lot;
 - b. The Cliff Drive overlook parking; and
 - c. The Cliff Drive Southern Pacific railroad right-of-way parking unless Cliff Drive must be relocated due to cliff erosion.
2. Substantial changes in public parking facilities in the coastal zone require a Local Coastal Program (LCP) amendment.
3. ~~Expansion~~Expansion of any existing legally established residential parking programs and/or new residential parking programs ~~are highly discouraged~~ in the coastal zone ~~require an amendment to Coastal Development Permit 3-87-42 and consistency with the LCP Land Use Plan.~~
4. ~~When~~The City shall evaluate the potential impact on public coastal access when considering a Coastal Development Permit application for any development that ~~could~~would reduce ~~or degrade~~ public parking ~~opportunities~~ spaces near beach access points, shoreline trails, or parklands, including any changes ~~into the residential parking fees, timing and availability program established under Coastal Development Permit 3-87-42. When parking is reduced, the City shall evaluate the potential impact ~~on~~require alternative opportunities for public coastal access, and as needed to ensure existing levels of public access are at least maintained and, or if possible enhanced, including by providing alternative access. Such opportunities such as may include bicycle lanes and bicycle parking, pedestrian trails, and relocated vehicular parking spaces, so as to fully mitigate any potential negative impacts and to maximize access opportunities and enhanced shuttle/transit service.~~

4.5.

17.76.100 On-site Loading

- A. Applicability.** All retail, hotel, warehousing, manufacturing, and similar uses that involve the frequent receipt or delivery of materials or merchandise shall provide on-site loading spaces consistent with the requirements of this section.
- B. Number of Loading Spaces.** The minimum number of required loading spaces shall be as specified in Table 17.76-7.

TABLE 17.76-7: REQUIRED LOADING SPACES

Floor Area	Required Loading Spaces
Less than 10,000 sq. ft.	None
10,000 to 30,000 sq. ft.	1
Greater than 30,000 sq. ft.	2 plus 1 per each additional 20,000 sq. ft.

C. Location.

1. Required loading spaces shall be located on the same lot as the use they are intended to serve.
2. No loading space shall be located closer than 50 feet to a residential zoning district, unless the loading space is wholly enclosed within a building or screened by a solid wall not less than 8 feet in height.

D. Dimensions.

1. Each loading space shall have minimum dimensions of 10 feet wide, 25 feet long, and 14 feet in vertical clearance.
2. Deviations from the minimum dimensions standards may be approved by the Community Development Director if the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific business.

E. Design and Configuration.

1. Loading spaces shall be configured to ensure that loading and unloading takes place on-site and not within adjacent public rights-of way.
2. Sufficient maneuvering area shall be provided for loading spaces so that vehicles may enter and exit an abutting street in a forward direction.
3. Loading spaces and their associated maneuvering areas shall not encroach into required employee or visitor parking areas or other on-site areas required for vehicle circulation.
4. Loading spaces shall be striped and clearly identified as for loading purposes only.

Chapter 17.88 – INCENTIVES FOR COMMUNITY BENEFITS

Sections:

- 17.88.010 Purpose
- 17.88.020 Incentives Restricted to Added Benefits
- 17.88.030 Eligibility
- 17.88.040 Allowable Benefits
- 17.88.050 Available Incentives
- 17.88.060 Relationship to State Density Bonus Law
- 17.88.070 Application Submittal and Review
- 17.88.080 Findings
- 17.88.090 Post-Decision Procedures

17.88.010 Purpose

This chapter establishes incentives for applicants to locate and design development projects in a manner that provides substantial benefits to the community. These incentives are intended to facilitate the redevelopment of underutilized properties along 41st Avenue consistent with the vision for the corridor described in the General Plan and to encourage the development of a new hotel in the Village as called for by the General Plan and the Local Coastal Program (LCP).

17.88.020 Incentives Restricted to Added Benefits

The City may grant incentives only when the community benefits or amenities offered are not otherwise required by the Zoning Code or any other provision of local, state, or federal law. Community benefits or amenities must significantly advance General Plan and/or LCP goals and/or incorporate a project feature that substantially exceeds the City's minimum requirements.

17.88.030 Eligibility

A. Eligibility for Incentive. The City may grant incentives for the following projects:

1. Projects in the Regional Commercial (C-R) and Community Commercial (C-C) zoning districts that:
 - a. Front 41st Avenue; or
 - b. Front Capitola Road between Clares Street and 42nd Avenue, or
 - c. Are located on the Capitola Mall site.
2. A hotel on the former Capitola Theater site (APN 035-262-04, 035-262-02, 035-262-11, 035-261-10) in the Mixed Use Village zoning district.

- B. Setback Required – 41st Avenue.** Structures on properties fronting the east side of 41st Avenue must be set back a minimum of 100 feet from the property line abutting a residential property.

17.88.040 Allowable Benefits

- A. All Eligible Projects.** The City may grant incentives to all eligible projects as identified in Section 17.88.030 (Eligibility) that provide one or more of the following community benefits. The public benefit provided shall be of sufficient value as determined by the Planning Commission to justify deviation from the standards of the zoning district that currently applies to the property.

1. **Public Open Space.** Public plazas, courtyards, and other public gathering places that provide opportunities for people to informally meet and gather. Open space must be accessible to the general public at all times. Provision must be made for ongoing operation and maintenance in perpetuity. The public space must either exceed the City's minimum requirement for required open space and/or include quality improvements to the public realm to create an exceptional experience.
2. **Public Infrastructure.** Improvements to streets, sidewalks, curbs, gutters, sanitary and storm sewers, street trees, lighting, and other public infrastructure beyond the minimum required by the City or other public agency.
3. **Pedestrian and Bicycle Facilities.** New or improved pedestrian and bicycle pathways that enhance the property and connectivity to the surrounding neighborhood.
4. **Low-Cost Visitor Serving Amenities.** New or improved low-cost visitor-serving recreational opportunities or accommodations within the Central Village area.
- 4.5. **Transportation Options.** Increased transportation options for residents and visitors to walk, bike, and take public transit to destinations and reduce greenhouse gas emissions.
- 5.6. **Historic Resources.** Preservation, restoration, or rehabilitation of a historic resource.
- 6.7. **Public Parking.** ~~Public~~A public parking structure that provides parking spaces in excess of the required number of parking spaces for use by the surrounding commercial district. Excess parking provided as part of a Village hotel may not be located on the hotel site and must be located outside of the Mixed Use Village zoning district.
- 7.8. **Green Building.** Green building and sustainable development features that exceed the City's green building award status.
- 8.9. **Public Art.** Public art that exceeds the City's minimum public art requirement and is placed in a prominent and publicly accessible location.

9-10. Other Community Benefits. Other community benefits not listed above, such as entertainment destinations, as proposed by the applicant that are significant and substantially beyond normal requirements.

B. 41st Avenue/Capitola Road Projects. In addition to the community benefits in Subsection A above, the City may grant incentives to eligible projects fronting 41st Avenue or Capitola Road between Clares Street and 42nd Avenue or on the Capitola Mall site that provide one or more of the following community benefits:

1. **Capitola Mall Block Pattern.** Subdivision of the existing Capitola Mall property into smaller blocks with new intersecting interior streets. May include the extension of 40th Avenue south into the Mall property to form a new pedestrian-friendly private interior street.
2. **Surface Parking Lot Redevelopment.** Redevelopment of existing surface parking lots fronting 41st Avenue and Capitola Road while introducing new sidewalk-oriented commercial buildings that place commercial uses along the street frontage.
3. **Transit Center.** Substantial infrastructure improvements to the transit center on the Capitola Mall property that are integrated with a possible future shuttle system in Capitola. The transit center may be moved to an alternative location consistent with the operational requirements of Santa Cruz Metro.
4. **Affordable Housing.** Affordable housing that meets the income restrictions applicable in the Affordable Housing (-AH) overlay zone.

17.88.050 Available Incentives

A. 41st Avenue/Capitola Road Projects. The City may grant the following incentives to an eligible project fronting 41st Avenue, Capitola Road between Clares Street and 42nd Avenue, or on the Capitola Mall site:

1. An increase in the maximum permitted floor area ratio (FAR) to 2.0.
2. An increase in the maximum permitted building height to 50 feet.

B. Village Hotel. The City may grant the following incentives to a proposed hotel on the former Capitola Theater site (APN 035-262-04, 035-262-02, 035-262-11, 035-261-10):

1. An increase in the maximum permitted floor area ratio (FAR) to 3.0.
2. An increase to the maximum permitted building height provided that:
 - a. The maximum height of the hotel remains below the elevation of the bluff behind the hotel; and
 - b. The bluff behind the hotel remains visible as a green edge with existing mature trees maintained on site when viewed from the southern parking lot along the bluff of Cliff Drive and the Capitola wharf.



Note: Coastal Commission staff requested limiting the hotel height to at least 10 feet below the bluff and prohibiting rooftop architectural elements from projecting above this limit. The Planning Commission recommends not accepting this request to maintain flexibility for the City to consider the hotel application when it is submitted.

17.88.060 Relationship to State Density Bonus Law

The incentives allowed by this section are in addition to any development incentive required by Section 65915 of the California Government Code.

17.88.070 Application Submittal and Review

- A. **Request Submittal.** A request for an incentive in exchange for benefits shall be submitted concurrently with an application for the discretionary permits required for the project by the Zoning Code. Applications shall be accompanied by the following information:
1. A description of the proposed amenities and how they will benefit the community.
 2. All information needed by the City Council to make the required findings described in Section 17.88.080 (Finding) below, including a pro forma analysis demonstrating that the benefit of the proposed amenities to the community is commensurate with the economic value of the requested incentives.
- B. **Conceptual Review.** Prior to City action on a request for an incentive, the request shall be considered by the Planning Commission and City Council through the Conceptual Review process as described in Chapter 17.114 (Conceptual Review). Conceptual Review provides the applicant with non-binding input from the City Council and Planning Commission as to whether the request for incentives is worthy of consideration.
- C. **~~Theatre~~Theater Site Story Poles.** Prior to City action on a proposed hotel on the former Capitola Theater site the ~~applicant~~ Planning Commission or City Council may shall require the applicant to install poles and flagging on the site to demonstrate the height and mass of the proposed project.
- D. **Planning Commission Recommendation.** Following Conceptual Review, the Planning Commission shall provide a recommendation to the City Council on the proposed project and requested incentives at a noticed public hearing in compliance with Chapter 17.148 (Public Notice and Hearings).
- E. **City Council Action.** After receiving the Planning Commission's recommendation, the City Council shall review and act on the requested incentives at a noticed public hearing in compliance with Chapter 17.148 (Public Notice and Hearings). The City Council shall also review and act on other permits required for the project requesting incentives.

17.88.080 Findings

A. All Eligible Projects. The City Council may approve the requested incentives for all eligible projects only if all of the following findings can be made in addition to the findings required for any other discretionary permit required by the Zoning Code:

1. The proposed amenities will provide a substantial benefit to the community and advance the goals of the General Plan.
2. There are adequate public services and infrastructure to accommodate the increased development potential provided by the incentive.
3. The public benefit exceeds the minimum requirements of the zoning code or any other provisions of local, state, or federal law.
4. The project minimizes adverse impacts to neighboring properties to the greatest extent possible.

5. If in the coastal zone and subject to a Coastal Development Permit, the project enhances coastal resources.

B. Village Hotel. In addition to the findings in Subsection A above, the City Council may approve the requested incentives for a proposed hotel on the former Capitola Theater site only if the following findings can be made:

1. The design of the hotel respects the scale and character of neighboring structures and enhances Capitola's unique sense of place.
2. The hotel will contribute to the economic vitality of the Village and support an active, attractive, and engaging pedestrian environment.
3. The hotel design minimizes impacts to public views of the beach and Village from vantage points outside of the Village, and in particular as seen from the top of the bluff behind the hotel, and does not adversely impact significant public views of the coastline as identified in the LCP Land Use Plan.
4. Parking for the hotel is provided in a way that minimizes vehicle traffic in the Village and, strengthens the Village as a pedestrian-oriented destination, and protects public parking options.

17.88.090 Post-Decision Procedures

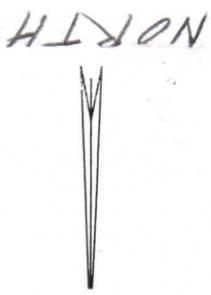
Post-decision procedures and requirements in Chapter 17.156 (Post-Decision Procedures) shall apply to decisions on incentives for community benefits.

SUBMITTED ON July 14, 2020 from Monarch Cove Inn

ESCALONA OVERLOOK, CAPITOLA CALIFORNIA

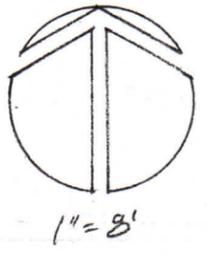
The Escalona Overlook proposal will create a dedicated public location for enjoying long views out to Monterey Bay. The Overlook will be at the very end of Escalona Drive on Depot Hill in Capitola and will afford coastal views from Seacliff all the way to Monterey County. The existing Escalona Drive public right of way extends towards the coast on its easterly end but stops before reaching the coastal bluff. Mr. Blodgett currently owns a parcel of land between the end of Escalona Drive and the coastal bluff. While most of this parcel includes inaccessible cliff areas, there is an opportunity to create a public viewpoint safely set back from the cliff.

Mr. Blodgett wants to explore dedicating a portion of this lot for a public coastal access area and viewpoint. This remarkable overlook will allow the public to enjoy the dramatic views it provides. This location for public access will provide the visitors to Depot Hill the sweeping views sought by the Coastal Commission staff during the on-going discussions of Visitor-Serving zoning for the El Salto properties. Appropriate signage at the easterly end of the travelled roadway on Escalona Drive will direct pedestrian visitors along the existing path leading to the overlook location. Creating this new public access to coastal views will provide the opportunity to protect coastal access, as sought by the Coastal Commission, and at the same time, provide the residential zoning for the Blodgett property at the end of El Salto Drive.



Attachment: Public Comment from Monarch Cove Inn (Continued Zoning Code Items)

NORTH



PALM

← CLIFF EDGE



BLDGGETT 7.9.20

Attachment: Public Comment from Monarch Cove Inn (Continued Zoning Code Items)

