

**CAPITOLA CITY COUNCIL  
SPECIAL MEETING MINUTES  
TUESDAY, JULY 21, 2020 - 6 PM**

**REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 6 PM**

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

Council Member Ed Botorff: Remote, Council Member Jacques Bertrand: Remote, Council Member Sam Storey: Remote, Mayor Kristen Petersen: Remote, Vice Mayor Yvette Brooks: Remote.

**2. ADDITIONAL MATERIALS – NONE**

**3. ADDITIONS AND DELETIONS TO AGENDA – NONE**

**4. CITY COUNCIL / STAFF COMMENTS**

Councilmember Storey reported that the Art and Cultural Commission officially canceled the traditional Plein Air art event and looks forward to its return in October 2021.

**5. GENERAL GOVERNMENT / PUBLIC HEARINGS**

**A. 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.

Community Director Herlihy presented the staff report and clarified that Council direction was required on three topics; the Monarch Cove Inn, Village Parking, and the Village Hotel. There was a separate vote for each topic.

Monarch Cove Inn:

Councilmember Storey recused himself from this portion of the public hearing.

Director Herlihy presented on this item and highlighted that the idea of providing public access to a viewpoint is a compromise since Staff is proposing single family use at this property. She explained that the Coastal Commission would prefer visitor serving use, rather than the property converting to a single-family home.

Councilmember Bertrand asked about the right-of-way at this site, and if Council could request a condition requiring Air B&B (short-term rental) use. He then suggested the main building remain visitor serving while the remaining two units revert to single-family.

Councilmember Botorff asked about the City moving forward in acquiring the property necessary to create the proposed public access to viewpoint. Director Herlihy said that an offer of dedication still stands because a quiet title change has not occurred, but that this would require much work and input from the City Attorney. She concluded that this project could be considered separately from the zoning code discussions.

Vice-Mayor Brooks asked for further clarity from Director Herlihy about the pathway. She asked if language could be changed from "a" to "one or more viewpoints".

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Councilmember Bertrand asked if the City could request access and the viewpoint, Director Herlihy clarified that the City can request the access path, but not the viewpoint because the viewpoint location is on Monarch Cove Inn property.

In public comment, Mrs. Blodget explained that her and her husband would like to retire from the hospitality business, and simply live on their property. She added that the property was a single-family home for 60 years, and asked why visitor serving use is being imposed upon a residential neighborhood.

Mr. Blodget echoed his wife while adding that a coastal overlook public access viewpoint would be an agreeable compromise, they are happy to allow.

Councilmember Bertrand clarified with the Blodget's that they wish to move to the main house and have family members live in the smaller two units on the property. Mr. Blodget also agreed that having an Air B&B in a small cottage on the property would not be a problem, but they would prefer simply adding the overlook.

Mayor Petersen said she has concerns with mandating an Air B&B use for this property and does not support adding this requirement to an official motion.

Vice-Mayor Brooks said she supports including flexible language, allowing for an Air B&B type use but not requiring it. She made a motion and Council continued their discussion.

Ben Noble, Regional Planning Contractor, provided insight.

Councilmember Bertrand emphasized that visitor accommodation is significant to the Coastal Commission.

Vice-Mayor Brooks said that code language for the future, and not only language with the current owners in mind, was important to consider.

Councilmember Bottorff said he did not want to include language mandating visitor accommodation use.

<b>MOTION:</b>	<b>ACCEPT PLANNING COMMISSION'S SUGGESTIONS FOR THE MONARCH COVE INN CODE ZONING CODE SECTION, WITH AMENDMENT REQUIRING ONE OVERNIGHT LODGING UNIT EXIST SOMEWHERE ON THE PROPERTY AND GRANTING PUBLIC ACCESS TO A VIEWPOINT</b>
<b>RESULT:</b>	<b>TIED [DOES NOT PASS]</b>
<b>MOVER:</b>	Brooks
<b>SECONDER:</b>	Bertrand
<b>AYES:</b>	Bertrand, Brooks
<b>NOS:</b>	Bottorff, Petersen
<b>RECUSED:</b>	Storey

Councilmember Bottorff said he appreciated the motion and intent, however urged Council to go with the Planning Commission's recommendations.

<b>MOTION:</b>	<b>ACCEPT PLANNING COMMISSION'S SUGGESTIONS FOR THE MONARCH COVE INN CODE ZONING CODE SECTION, WITH LANGUAGE CHANGED AS FOLLOWS: "IN CONJUNCTION WITH</b>
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	<b>VISITOR OVERNIGHT ACCOMMODATIONS OR GRANT OF PUBLIC ACCESS TO A VIEWPOINT”</b>
<b>RESULT:</b>	<b>ADOPTED (4 to 0)</b>
<b>MOVER:</b>	Bottorff
<b>SECONDER:</b>	Bertrand
<b>AYES:</b>	Bottorff, Bertrand, Petersen, Brooks
<b>RECUSED:</b>	Storey

Capitola Village Parking:

Director Herlihy explained that the in-lieu parking program is not part of this code section.

Councilmember Bertrand asked about code encouraging a shuttle system and said that the City should take a firmer stance on this issue.

Vice-Mayor Brooks clarified the definition of “intensified use”.

Jesse Bristow, Swenson Builders, spoke about a future hotel in the Village and said that the company supports valet and shuttle services with drop-off on Monterey Avenue. He discouraged code restricting this potential development.

Mayor Petersen confirmed with Director Herlihy that the proposed code changes would not prohibit a hotel drop off/pick up service on Monterey Avenue.

<b>MOTION:</b>	<b>ACCEPT PLANNING COMMISSION RECOMMENDATIONS WITH THE FOLLOWING CHANGE IN SECTION 17.76.040.3 “B) THE PLANNING COMMISSION PAY 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”</b>
<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bottorff
<b>SECONDER:</b>	Bertrand
<b>AYES:</b>	Bottorff, Bertrand, Storey, Petersen, Brooks

Future Village Hotel:

Mayor Petersen recused herself from this portion of the public hearing.

Councilmember Storey asked why the Coastal Commission staff has suggested the change in code from below the bluff to a 10-foot height allowance. Director Herlihy explained that the Coastal Commission suggested implementing a numerical measurement, rather than descriptive guidance, for the ease of applicants and City staff. Councilmember Storey clarified that Planning Commission’s recommendation to keep the wording “height should be below the top elevation of the bluff” implies that no architectural features would extend past the bluff’s edge (including HVAC).

Councilmember Bertrand asked about other El Camino Medio buildings and their distance from the bluff; Director Herlihy emphasized the Coastal Commission’s intent to make this requirement quantitative rather than qualitative by including a number and not a description.

During public comment, Jesse Bristow spoke in support of the Planning Commission’s recommendation to retain original code language rather than the objective 10 feet limit.

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Keith Otto said that Council seems to be speaking about a specific project, and announced that the public should have the opportunity to comment about such project at the time of its proposal.

Larry Abbott Hall asked about the height of the hotel buildings on the El Camino Medio side, as the previous proposal included a blank wall displeasing to nearby homeowners. He also mentioned traffic concerns with the addition of a Village hotel.

Councilmember Storey acknowledged Mr. Hall’s concerns and said they were addressed by City Council when the hotel was last proposed. He made a motion to keep the Planning Commission’s suggested language that architectural elements remain below the bluff.

Councilmember Bottorff asked that a friendly amendment be included to the motion, for language to be added indicating that unsafe trees will be removed on the site.

Councilmember Bertrand agreed with the added tree language but was in favor of the 10-foot requirement. He reminded Council that during past public hearings, the public largely felt the hotel was too massive.

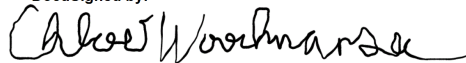
<b>MOTION:</b>	<b>ACCEPT PLANNING COMMISSION RECOMMENDATIONS WITH THE FOLLOWING CHANGES IN SECTION 17.88.050.B.2.a “A. THE MAXIMUM HEIGHT OF THE HOTEL (INCLUDING ALL ROOFTOP ARCHITECTURAL ELEMENTS SUCH AS CHIMNEYS, CUPOLAS, ETC., AND ALL MECHANICAL APPURTENANCES SUCH AS ELEVATOR SHAFTS, HVAC UNITS, ETC.) REMAIN 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. TREES WHICH ARE UNHEALTHY OR UNSAFE, SHALL BE REMOVED.</b>
<b>RESULT:</b>	<b>ADOPTED (3 to 1)</b>
<b>MOVER:</b>	Storey
<b>SECONDER:</b>	Bottorff
<b>AYES:</b>	Bottorff, Storey, Brooks
<b>NOS:</b>	Bertrand
<b>RECUSED:</b>	Petersen

**6. ADJOURNMENT**

The meeting was closed at 8:25 PM.  
**APPROVED OCTOBER 22, 2020**

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 Kristen Petersen, Mayor

ATTEST:

DocuSigned by:  
  
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 Chloe Woodmansee, Interim City Clerk