

**CAPITOLA CITY COUNCIL  
SPECIAL MEETING MINUTES  
WEDNESDAY, NOVEMBER 29, 2017 - 6:00 PM**

**CLOSED SESSION 5:30 PM**

**CALL TO ORDER**

Mayor Harlan called the meeting to order at 5:30 p.m. with the following item to be discussed in Closed Session:

**CONFERENCE WITH LABOR NEGOTIATOR [Govt. Code § 54957.6]**

Negotiator: Jamie Goldstein, City Manager

Employee Organizations: (1) Association of Capitola Employees; (2) Capitola Police Captains, (3) Capitola Police Officers Association, (4) Confidential Employees; (5) Mid-Management Group; and (6) Department Heads

There was no public comment; therefore, the City Council recessed to the Closed Session in the City Manager's Office.

**SPECIAL MEETING OF THE CAPITOLA CITY COUNCIL – 6 PM**

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

Council Member Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Mayor Stephanie Harlan: Present, Vice Mayor Michael Termini: Present, Council Member Kristen Petersen: Present.

Treasurer Wilk was absent.

**2. REPORT ON CLOSED SESSION**

City Attorney Tony Condotti reported that the Council received a report and gave direction on labor negotiations.

**3. ADDITIONAL MATERIALS**

Item 4.1 – Seven public comment additional materials.

**4. GENERAL GOVERNMENT / PUBLIC HEARINGS**

1. First Reading of Zoning Code Update

RECOMMENDED ACTION: Staff recommends that the City Council introduce an Ordinance rescinding and readopting the Zoning Code of Capitola Municipal Code Chapter 17; rescinding the Capitola Village Design Guidelines and 41<sup>st</sup> Avenue Design Guidelines; moving Floodplain District and Green Building Regulations into Title 15 Building and Construction; and adopting a new zoning map.

Senior Planner Katie Herlihy presented the staff report and noted that the introduction hearings Nov. 21 and tonight are not the first reading, which will be held in January following the input received. Four topics were previously identified for additional discussion as well as other Council comments.

*Vacation rental overlay:* The first topic was a request to add a property at 488 Riverview to the vacation overlay district. Council Member Termini recused himself from the discussion due to his home's proximity and left the dais.

Planner Herlihy noted there was clear prior direction that the vacation overlay should not extend into the 500 block of Capitola Avenue.

Council Member Bottorff noted the overlay has been extensively discussed and sees no reason to extend it, especially given frequent complaints about vacation rentals. He supports the district as proposed. Council Member Bertrand added he does not want to remove more homes from available long-term housing. Council Member Petersen and Mayor Harlan concurred.

Council Member Termini returned to the dais.

*Rezoning Capitola Road between 41<sup>st</sup> and 45<sup>th</sup> Avenues:* Planner Herlihy noted courtesy letters went out to property owners but additional noticing would be required if the Council does recommend different zoning. She reviewed the existing zoning.

Under the suggestion to rezone the north section to Mixed-Use Neighborhood (MU-N), the existing Professional Office properties would have a lower, 27-foot height and an increased setback to the residential uses. She offered examples of impacts and noted parking requirements drive development options. Council Member Termini expressed concern about flat-topped buildings with a 27-foot height. Council Member Bertrand asked if sidewalks can be wider and there was consensus support.

City Manager Jamie Goldstein warned the Council that this zoning change likely will not encourage new projects in the short- to mid-term. Council Member Bottorff expressed support for the originally proposed Community Commercial (CC) zoning.

Stephen Sergy advocated for more housing and supports the original CC proposal. He noted area has good access to transit and bike lanes.

Erin Bernal, resident and former General Plan Commission member, said the recommended CC zoning does not support a transition to a residential neighborhood and she supports zoning that would.

Terry Tetter, resident, supports the requirements for adequate parking and transition development.

Council Member Termini asked for language discouraging flat roofs. There was majority consensus support for this request as part of MU-N zoning.

For the southern portion of Capitola Road between 41st and 45th, staff suggested reducing height to either three stories or 35 feet. Council Member Termini suggested a 40-foot setback in the rear. Staff also recommended additional conditions of a required conceptual review during which the developer would present results of public outreach.

*Height measurement:* The Council asked staff to add language limiting development

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below Depot Hill to prohibit height above the bluff top similar to language in the General Plan for a village hotel. It supported additional arrows in the illustration for clarification.

*Lighting:* Staff will work to make language consistent throughout and there was consensus for the examples.

Council Member Bertrand would like to remove non-native species language in riparian corridors. Staff noted experts often recommend acacia. Council agreed to leave the language but encourage native options.

There was a question about whether the City has jurisdiction over mobile home parks and if it can set standards for additional parking. The state oversees existing parks, but the Council agreed that if a new one were developed to require visitor parking at a ratio of one spot for every 10 units.

*Large residential care facilities:* The City Attorney advised against any change.

*Food truck limits:* Council supported increasing the limit to for four times a year.


<b>MOTION:</b>	<b>CONTINUE THE HEARING TO THE JANUARY 11, 2018, MEETING</b>
<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>
<b>MOVER:</b>	Jacques Bertrand, Council Member
<b>SECONDER:</b>	Michael Termini, Vice Mayor
<b>AYES:</b>	Bottorff, Bertrand, Harlan, Termini, Petersen

## 5. ADJOURNMENT

The meeting was adjourned at 8:11 p.m.

  
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Michael Termini, Mayor

ATTEST:

  
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Linda Fridy, City Clerk

**MINUTES WERE APPROVED ON DECEMBER 14, 2017**