

**CAPITOLA CITY COUNCIL  
SPECIAL MEETING ACTION MINUTES  
MONDAY, OCTOBER 19, 2015 – 6:00 PM**

**CALL TO ORDER**

Mayor Norton called the meeting to order at 6:00 PM.

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

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

**2. ADDITIONAL MATERIALS**

City Clerk Sneddon stated that two communications were received regarding the City's Zoning Code Update (Item 6.A.).

**3. ADDITIONS AND DELETIONS TO AGENDA** (None Provided)**4. PUBLIC COMMENT** (None Provided)**5. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS** (None Provided)**6. GENERAL GOVERNMENT / PUBLIC HEARINGS**

## A. Zoning Code Update: Review Issues and Options Report [730-85]

RECOMMENDED ACTION: Accept staff presentation and provide direction on each of the zoning issues.

The following issues were discussed (see attached **Exhibit A** – October 19, 2015 Special City Council Meeting Summary Notes):

ISSUE 1. Protecting the Unique Qualities of Residential Neighborhoods

Public Comment:

- Ron Graves, local resident, provided comments regarding height limit for residential neighborhoods.
- Charles Huddleston, Aptos, stated concerns regarding second stories in residential neighborhoods.
- Nels Westman, local resident, stated he does not support raising the density in R-1 neighborhoods.

ISSUE 17. Floor Area Ratio (FAR)

Public Comment:

- Charles Huddleston, Aptos resident, recommended increasing the footprint for residential lots.
- Helen Bryce, local resident, requested an explanation regarding FAR in reference to decks adjacent to open space.

ISSUE 17.A. FAR and Decks

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ISSUE 17.B. FAR and BasementsISSUE 17.C. FAR and Phantom Floors, Roof Eaves, and Window Projections (Bay Windows)ISSUE 16. HeightISSUE 16.B. Capitola Village Height

## Public Comment:

- Ron Graves, local resident, stated he does not recommend expanding the height in the Village.
- Charles Huddleston, stated he does not support an increased height in the Village

ISSUE 16.C. Height of future hotel on Theater Site in VillageISSUE 5.A. Number of Required Parking SpacesISSUE 5. Parking

## Public Comment:

- Charles Huddleston, Aptos resident, recommends that the City start reducing parking requirements.
- Nels Westman, local resident, does not support reducing parking requirement.
- Helen Bryce, local resident, stated that she supports preserving the City's parking requirement.
- Peter Wilk, local resident, made comments regarding covered parking in residential areas.

ISSUE 5.B. Village Hotel ParkingISSUE 5.C. Parking EfficiencyISSUE 5.D. GaragesISSUE 6. Historic Preservation**7. ADJOURNMENT**

The meeting adjourned at 8:55 PM.



Dennis Norton, Mayor

ATTEST:

  
Susan Sneddon, CMC  
Susan Sneddon, City Clerk**MINUTES WERE UNANIMOUSLY APPROVED ON OCTOBER 26, 2015**

**Exhibit A****SUMMARY OF SPECIAL ZONING CODE UPDATE MEETING  
OCTOBER 19, 2015**

Note: City Council additions/modifications are underlined.

**ISSUE 1. Protecting the Unique Qualities of Residential Neighborhoods**

**Direction:** Introduce additional standards/exceptions based on lot characteristics and existing development patterns.

- Retain 25 feet height limit (Note: Residential Height is also Issue 16A)
- 27 feet height exception for the following circumstances:
  - Addition to historic structures that is designed to match the roof pitch of the historic structure within the area of new addition.
  - Lots greater than 6,000 sf in size
  - Lots with width 60 feet wide or more.
  - Lots on a steep slope. Steep slope is defined as a lot having an average slope of 25% or greater.
  - Max plate height of structure does not exceed 22 feet.
- Retain current requirement for Second Story setbacks at 15 % of lot width
  - Add exception to second story setback for lots that are 30 feet wide or less.
- Secondary Structure in Rear Yard
  - Decrease rear yard setback from 8 feet to 4 feet.
  - Maintain 17.15.140.G "The width of detached garages or carports in the rear yard is limited to twenty-one feet. The height is limited to fifteen feet (nine feet to the top of the wall plate) for secondary structures located a minimum of 8 feet from the rear property line. However, the planning commission may approve an exception to allow additional height if necessary to match the architectural style of the existing primary structure."
  - Secondary Structures less than 8 feet from the side yard may not exceed 12 feet in height.
  - Maintain required 2 foot landscape buffer between driveway and property line.
  - Maintain front setback (40 feet), side yard setback (3 feet) and setback from primary structure (3 feet)
  - Add statement in residential zoning districts an existing garage located within the required setback areas are legal non-conforming structures that may be updated but the non-conformity may not be expanded.



**Issue 17. Floor Area Ratio****Issue 17.A. FAR and Decks****Direction: New Option. Remove decks from FAR Calculation**

- Acknowledged that deck regulations do not belong in the FAR standards. Decks should be included in the updated design permit thresholds and residential development standards.
  - Decks on the front of a home are exempt from a design permit and may be approved administratively.
  - Decks on the rear of a home may be approved administratively if it complies with new development standards including location/separation standards, size limitation, height (no higher than finished floor of second story) and is accessed through bedroom.
  - Rooftop decks and decks that do not comply with the administrative permit development standards require a design permit with Planning Commission approval.
  - Remove decks on restaurants and hotels from the floor area calculation. Include decks associated with bar/restaurant toward parking calc.
- Clarify staircase requirement in code.
- Lots less than 3000 sf: exception up to 250 sf for enclosed garage.

**Issue 17.B. FAR and Basements****Direction: Option 3. Remove basements from FAR formula:**

- Include area of basement in parking requirement.
- Basements on slopes that are visible and not located below natural grade on all 4 sides will count toward FAR.
- Basements that are not visible and are located below natural grade on 4 sides will not count toward FAR.

**Issue 17.C. FAR and Phantom Floors, Roof Eaves, and Bay Windows****Direction: Option 5. Remove a combination of roof eaves and window projections from the FAR calculation.**

- Keep phantom floors in FAR calculation
- Add dimensions to maximum size for Bay Windows

**Issue 16.B. Capitola Village Height****Direction: Option 1: Maintain existing standard.**

- Maintain existing height limit of 27 feet in the Central Village
- Include exception up to 31 feet for non-habitable space such as elevator, architectural features, and roof designs with architectural interest. Current exception §17.81.070.
- Show examples of architectural features in code (cupolas, turrets, chimney, etc.)

**Issue 16.C. Height of future hotel on Theater Site in Village****Direction: Option 2. Establish Performance qualitative Standard for Hotel Height tied to General Plan.**

- Future height of hotel must be aligned with the guidance in the General Plan
- A future hotel on the unique parcel with should not be tied to specific height standards.
- Flexibility in the code is necessary to allow articulation, stepping, etc.

**Issue 5. Parking****Issue 5.A. Number of Required Parking Spaces****Direction: Option 3 and Option 4.****Option 3. Create Location-Based Parking Standards.**

- The updated Zoning Code will establish location based parking requirements for the different commercial districts within the City, including neighborhood commercial, community commercial, central village, and industrial.
- The central village parking standards will not change. CC: Modify existing 6 seat allowance for restaurant to a square foot allowance for dining area. Decrease required parking requirement for area not utilized for dining.
- Single-family residential parking standards will not change. CC: max covered parking 1 space for single-family

**Option 4. Allow parking reductions for multi-tenant commercial uses with Planning Commission approval.**

- Retain reductions in the number of required parking spaces for multi-tenant commercial developments supported by a parking study. Exclude mixed-use projects that contain residential. CC: Allow residential mixed use in CC (Bay Avenue and 41<sup>st</sup> Avenue)
- All reductions would require approval by Planning Commission after making special findings.
- Finding that adequate parking is provided on-site as demonstrated by a parking study and reduction does not result in spillover parking impacts on neighborhoods.

**Issue 5.B. Village Hotel Parking****Direction: Option 3:** Base Standard on a Parking and Traffic Study prepared from the hotel development project application.

- The number of parking spaces required for the theater hotel site will be determined by a parking and traffic study prepared specifically for the hotel development project application.
- The site is unique and therefore flexibility is necessary to create a parking demand management plan that works specific to theater site.

**Notes:** Aside: PC request for CC to reconsider employee parking program in the City parking facilities to decrease impact on residents during winter months. CC would like to revisit the in-lieu program to include more land use types.

**Issue 5.C. Parking Efficiency****Direction: Option 2.** Clarify existing code to match past practice.**A: Add New Shared Parking Provision.**

- The updated Zoning Code will allow multiple land uses on a single parcel or development site to use shared parking facilities when operations for the land uses are not normally conducted during the same hours, or when hours of peak use differ.
- Excludes residential CC: Allow residential mixed use in CC (Bay Avenue and 41<sup>st</sup> Avenue)

**B: Add new parking lift provisions.**

- The updated Zoning Code will allow for elevator-like mechanical system to stack parking spaces in a vertical configuration.
- Lift must be enclosed/not visible from public view.



**Issue 5.D. Garages**

**Direction: Option 2.** Add design standards for carports.

- Continue to require at least one covered parking space for homes 1,500 square feet or more. Covered parking may be provided in a garage or carport.
- Design standards for carports will be added.
- Carport should be the exception with findings to support the exception
- Include Carport in FAR calculation.

**Issue 6. Historic Preservation**

**Direction:** Do not include any of the 4 options. Incorporate the 5 new provisions identified in the issues and options summary, including

1. Procedures to identify historic resources
  2. Improve criteria to identify historic resources
  3. Add procedures and review criteria for projects which involve potentially significant resources.
  4. Add criteria to approve demolition of a historic resource.
  5. Add incentives for historic preservation.
- Do not include any of the additional options.
  - As the new historic preservation ordinance is drafted, have Architectural Historian, Leslie Dill, and local Historian, Frank Perry, review the draft ordinance.
  - Follow-up: CC would like to see money budgeted for following year for historic inventory