



CITY COUNCIL AGENDA REPORT

MEETING OF APRIL 9, 2015

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: ZONING CODE UPDATE – ISSUES AND OPTIONS SCHEDULE

RECOMMENDED ACTION: Accept Planning Commission's recommendation of Option 2 for the review of the Issues and Options for the Zoning Code Update.

BACKGROUND: The City of Capitola adopted the new General Plan on June 26, 2014. State law requires that the City's Zoning Ordinance and Local Coastal Plan (LCP) be consistent with the General Plan. Since the adoption of the new General Plan, staff has initiated the update to the Zoning Ordinance. In August of 2014, the public outreach efforts began with a public survey and multiple stakeholder meetings. From November 2014 to February 2015, staff organized all the public comments input into a master list and drafted the Issues and Option Report. The master list and report were distributed to the Planning Commission on March 5th and City Council on March 12th.

PROCESS OVERVIEW: The purpose of this report is to establish a timeline for the review of the Issues and Options Report that is amenable to the both review bodies.

During the March 5, 2015, Planning Commission meeting the Commissioners communicated a preference for the following:

- Hold special meetings to focus on the issues and options.
- Limit the meetings to four hours.
- Work with the City Council to create the same review process between the two boards, thereby creating consistency for participating members of the public.

During the March 12, 2015, City Council Meeting, the Council provided the following direction:

- Preference to accelerate the review through special designated meetings within the next two to four months.
- Concern for public process and maintaining convenience and consistency for public involvement.
- Consider joint meetings.

Staff drafted three schedule options based on Planning Commission and City Council direction (Attachment 1). The schedule options assume that the Planning Commission will hold six four-hour meetings and the City Council four four-hour meetings. In order to accommodate four-hour meetings, staff recommends starting meetings early so that hearings conclude by 9:00 p.m. or earlier. Special meetings have been preliminarily scheduled for Monday nights due to availability of the Council Chambers. The Planning Commission reviewed the 3 Options during the April 2, 2015 meeting. The Planning Commission recommended Option 2 for the review of the Issues and Options Report.

Option 1: The first option is the most accelerated schedule. It includes special meetings every week on Monday night and a meeting on the third Thursdays of the month and fifth Thursday in July. Under this option, the Planning Commission deliberations would conclude in June with City Council discussions continuing through July.

Item #: 9.G. Staff Report.pdf

AGENDA STAFF REPORT APRIL 9, 2015

ZONING CODE UPDATE – ISSUES AND OPTIONS SCHEDULE

Option 2: The second option is a less accelerated schedule. In this option, the special meetings are scheduled for the third Monday and third Thursday of the month. Under this option, the Planning Commission deliberations would conclude in July with City Council discussions continuing through October.

Option 3: The third option is the leisurely option. It includes a special meeting on the third Thursday of the Month. Under this option, the Planning Commission deliberations would conclude in October with City Council discussions continuing through February of 2016.

Staff also plans to host a public workshop for non-conforming multi-family in the R-1 District, a joint kickoff meeting, and attend a Traffic and Parking Committee meeting, as follows with the tentative dates:

Public Workshop: Non-conforming Multi-family in R-1 (3+ units)

Dates Pending

Joint Kickoff Meeting

Thursday 4/30/2015 (tentative) Planning Commission and City Council (6 pm)

Traffic and Parking Committee

Wednesday 5/13/2015 (tentative) Traffic and Parking Committee review of parking issues

Members of the Planning Commission and City Council have expressed a desire to hold one or more special joint Planning Commission/City Council meetings. Accordingly, staff recommends a Joint Planning Commission/City Council meeting on April 30th to formally accept and kick-off the review process.

Additionally, and in an effort to narrow the range of issues for discussion, staff suggests using the joint meeting to determine if there is general consensus on how to address any of the 18 identified zoning issues. To facilitate this effort, staff has prepared a survey (Attachment 2) which includes all 18 issues and proposed options. If the Planning Commission and City Council agree with this approach, each Commissioner/Council member would complete the survey and return it to Senior Planner Cattan by April 20, 2015. The results of the survey would then be shared at the April 30th meeting to determine if any issues can be resolved without further debate.

Next Steps

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

FISCAL IMPACT: None

ATTACHMENTS

1. Calendar Options
2. Survey

Report Prepared By: Katie Cattan
Senior Planner

Reviewed and Forwarded
By City Manager: 

- Joint PC and CC Meeting
- Planning Commission
- Special Planning Commission
- City Council
- Special City Council
- Draft Zoning Ordinance and CEQA

- Traffic and Parking Committee
- City Hall Closed

OPTION 2:

3RD MONDAY AND 3RD THURSDAY

2015

	January	February	March	April	August
S	S	S	S	S	S
M	M	M	M	M	M
T	T	T	T	T	T
W	W	W	W	W	W
T	T	T	T	T	T
F	F	F	F	F	F
S	S	S	S	S	S
31	1	1	1	1	1
3	2	2	2	2	2
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27	26	26	26	26	26
28	27	27	27	27	27
29	28	28	28	28	28
30	29	29	29	29	29
31	30	30	30	30	30

Please note: The Planning Commission may also meet on July 27th if an additional meeting date is necessary.

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Issues and Options Survey	Check Preferred Option(s)
<p>ISSUE 1: Protecting the Unique Qualities of Residential Neighborhoods (Page 7)</p> <p>Option 1: Maintain existing R-1 standards for all neighborhoods. With this option the Zoning Code would retain its existing R-1 standards that apply to all residential neighborhoods. Some specific standards may be modified to better meet the needs of property owners and address neighborhood concerns. After the future preparation of residential design guidelines, reference to these guidelines could be added to the R-1 chapter or to the findings required for approval of a Design Permit.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1</div>
<p>Option 2: Introduce tailored development standards for individual residential neighborhood. With this option the Zoning Code would identify the various neighborhoods within Capitola and identify the character-defining attributes of each area. The zoning code would establish standards for each of the residential neighborhoods that encourage the individual attributes and patterns within a neighborhood. The neighborhoods may be delineated through different residential base zones (e.g., R-1, R-2) or through overlay zones similar to residential overlay in the Village zone.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2</div>
<p>Option 3: Allow case-by-case deviations to R-1 standards. With this option a single set of standards would remain for the R-1 zone, but the Planning Commission could allow for deviations to these standards on a case-by-case basis. This would be a different process from a variance, with different findings required for approval. Standards subject to allowable deviation could include building height, setbacks, second story setbacks, garage and parking design, and floor area ratio. To approve, the Planning Commission would need to find that the deviation reflects the prevailing character in neighborhood and won't negatively impact adjacent properties. A maximum allowable deviation could also be established (e.g., 15 percent maximum deviation from standard), and deviations could be allowed only in certain locations.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3</div>
<p>Option 4: Other suggestion. (Explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">4</div>

Issues and Options Matrix	Check Preferred Option(s)
<p>ISSUE 2: Maintaining and Enhancing the Village Character (Page 8)</p>	
<p>Option 1: Maintain existing standards with advisory design guidelines. In this option, the standards of the Central Village would remain as they are today. We would clarify that the Guidelines are advisory, not mandatory.</p>	1
<p>Option 2: Establish new building form and character standards. The Zoning Code could establish mandatory site and building standards to maintain and enhance the Village character. These would apply to non-residential and mixed-use development. New standards could address the following design concepts:</p> <ul style="list-style-type: none"> • Maximum setbacks to keep buildings and their entrances close to the sidewalk. • Permitted treatment of setback areas (e.g., plazas and landscaping, no parking) • Minimum building width at street edge (defined as percentage of lot width) to maintain a continuous presence of storefronts. • Buildings oriented towards a public street with a primary entrance directly accessible from the sidewalk. • Maximum length of unarticulated/blank building walls. • Required storefront transparency (percentage clear glass) • Maximum building/storefront width (require larger buildings to be broken down into a pedestrian-scale rhythm with individual building bay widths) • Surface parking location (at rear or side of buildings, not between a building and a street-facing property line). • Frequency and width of driveways crossing sidewalks. • Requirements or incentives for residential front porches. 	2
<p>Option 3: Incorporate design guidelines as standards in the Zoning Code. Design “guidelines” for residential overlays that are expressed as mandatory “shall” statements would be incorporated into the Zoning Code as new standards. These guidelines can be found on pages 12 and 13 of the Design Guidelines. Guidelines would be modified as needed to protect and enhance the design character of these areas.</p>	3
<p>Option 4: Remove reference to Central Village Design Guidelines. This modification would require applicants to follow the development standards in the code without any guidance from the guidelines. The guidelines would be repealed during the zoning code update. The reference could be reintroduced after the City prepared updated design guidelines for the Village.</p>	4
<p>Option 5: Other suggestion. (Explain)</p>	5

Issues and Options Survey	Check Preferred Option(s)
<p>ISSUE 3: Accommodating High-Quality Development on 41st Avenue (Page 10)</p> <p>Option 1: Maintain Existing Regulations.</p>	<p style="text-align: center;">1</p>
<p>Option 2: Increase Parking Flexibility. Existing off-street parking requirements for individual land uses and properties could prevent the type of development and improvements envisioned by the General Plan. Allowing for shared parking, mixed use reductions, and a more district-based approach to parking would help to remove this barrier. Specific methods to introduce increased parking flexibility are addressed in Issue #5.</p>	<p style="text-align: center;">2</p>
<p>Option 3: Create incentives for desired improvements. The General Plan allows for increased floor area ratio (FAR) for certain types of project on 41st Avenue. The Zoning Code could build from this concept by offering incentives for project that include community benefits such as new public gathering places and entertainment uses. Incentives could include additional FAR, flexibility on development standards such as height and parking, and a streamlined permitting process. Allowed FAR with an incentive-based bonus would always be within the maximum established in the General Plan. The existing Planned Development provisions (Chapter 17.39) is another tool that allows deviations from development standards. This option is further discussed within Issue #13.</p>	<p style="text-align: center;">3</p>
<p>Option 4: Strengthen connection to 41st Avenue Design Guidelines. The existing Design Guidelines for 41st Avenue is in many ways consistent with the General Plan. The updated Zoning Code could strengthen the connection to this document by requiring the Planning Commission to find proposed projects consistent with the Guidelines when approving Design Permits. The City will update the Design Guidelines to better reflect the vision and goals for the corridor following adoption of the new Zoning Code.</p>	<p style="text-align: center;">4</p>
<p>Option 5: Streamline Permitting Process. The City currently requires Design Permits for new tenants in commercial zones, and a Conditional Use Permit for many types of uses. This requirement can discourage small scale and incremental improvements to properties necessary for long-term vitality. As discussed in Issue #10 and #12, the updated zoning code could streamline the permitting process for certain types of projects to encourage new investment on the corridor.</p>	<p style="text-align: center;">5</p>
<p>Option 6: Other suggestion. (Explain)</p>	<p style="text-align: center;">6</p>

Issues and Options Survey	Check Preferred Option(s)
<p>ISSUE 4: Protecting Retail Vitality on 41st Avenue (Page 11)</p> <p>Option 1: Maintain existing regulations.</p>	<p style="text-align: center;">1</p>
<p>Option 2: Add new findings for professional and medical office uses. The updated zoning code could include new findings required to approve office and other non-retail uses in the CC zone. For example, to approve such a use the Planning Commission would have to find that the proposed use would not detract from the economic viability of the district and/or shopping center where it is located. The applicant would be required to demonstrate to the Planning Commission's satisfaction that this finding can be made. The requirement to make this or similar findings could apply throughout the CC zone, or just in specific locations where the City wishes to maintain a high concentration of retail and personal service uses.</p>	<p style="text-align: center;">2</p>
<p>Option 3: Encourage professional and medical office uses in certain locations. The updated zoning code could make it easier to establish professional and medical office uses in certain locations, thus discouraging these uses in prime retail areas. For example, the zoning code could allow office uses by-right in tenant spaces that do not have a visible presence from 41st Avenue, Capitola Road, or Clares Street or that are on upper floors of a building. This could be a form of "vertical zoning" to incentivize the establishment of office uses in desirable locations. The updated zoning code could also use new overlay zones to identify locations where professional and medical offices are allowed by-right without a conditional use permit. The zoning code would also establish new design and operational standards for office uses allowed by-right to ensure neighborhood compatibility.</p>	<p style="text-align: center;">3</p>
<p>Option 4: Introduce new limitations for professional and medical office uses. Cities often use zoning regulations to limit the concentration of land uses in certain areas. For example, the Capitola zoning code could state that medical office is limited to 20 percent of each multi-tenant building or shopping center in certain locations. Or the zoning code could establish a total cap on the number of medical office uses or a minimum separation standard for these uses. These limitations could be absolute (cannot be exceeded under any circumstance) or the Planning Commission could allow for exceptions in special circumstances on a case-by-case basis.</p>	<p style="text-align: center;">4</p>
<p>Option 5: Other suggestion. (Explain)</p>	<p style="text-align: center;">5</p>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue #5A: Number of Required Parking Spaces (Page 13)</p>	
<p>Option 1: Maintain Existing Requirement.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1</div>
<p>Option 2: Modify Parking Requirements for Certain Land Uses in All Areas. The updated Zoning Code could modify parking requirements for certain land uses in all areas of the City. Parking requirements could be modified for:</p> <ul style="list-style-type: none"> • Restaurants, potentially reducing the parking requirement (currently 1 space/60 sf). • Take-out food establishments, eliminating the need for seat counting • Single-family homes, creating one standard regardless of size • Multi-family homes, allowing reduced parking requirements for small units 	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2</div>
<p>Option 3: Create Location-Based Parking Standards. The updated Zoning Code could establish different parking requirements depending on the location. For example, parking requirements in the Village could be different from on 41st Avenue, reflecting that more people walk to destinations in the Village from their homes or lodging or park once in or near to the Village and walk to multiple destinations during their visit. This approach could apply only to certain land uses, such as restaurants, or to all uses.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3</div>
<p>Option 4: Allow for reductions with Planning Commission approval. The updated Zoning Code could allow for reductions in the number of required parking spaces as suggested in General Plan Policy MO-5.3. Reductions would need to be approached carefully to avoid spillover parking impacts on neighborhoods. All reductions would be approved by Planning Commission after making special findings. Possible reductions include the following:</p> <ul style="list-style-type: none"> • Low Demand. The number of parking spaces could be reduced if the land use would not utilize the required number of spaces due to the nature of the specific use, as demonstrated by a parking demand study. • Transportation Demand Management Plans. The # of parking spaces could be reduced if the project applicant prepares and implements a Transportation Demand Management Plan to reduce the demand for off-street parking spaces by encouraging the use of transit, ridesharing, biking, walking, or travel outside of peak hours. • Bus Stop/Transportation Facility Credit. The number of parking spaces could be reduced for commercial or multiple-family development projects in close proximity of a bus stop. • Mixed-Use Projects. A mixed-use project with commercial and residential units could reduce parking requirements for commercial and office uses. 	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">4</div>
<p>Option 5: Allow for reductions By-Right. Similar to Option 2, except that a project could receive a reduction by-right (without Planning Commission approval) provided that it complies with objective standards.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">5</div>
<p>Option 6: Other Suggestion (Explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">6</div>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue #5B: Village Hotel Parking (Page 15)</p>	
<p>Option 1: Maintain Existing Requirements</p>	<p style="text-align: center;">1</p>
<p>Option 2: Specific On-Site Parking standard for Village Hotel. The updated Zoning Code could establish a specific on-site parking requirement for a new hotel in the Village. For example, the Zoning Code could carry forward the existing standard of 1 on-site parking space per guest room. Or, the Zoning Code could require 0.5 on-site spaces with the remaining parking need accommodated at an off-site location.</p>	<p style="text-align: center;">2</p>
<p>Option 3: Base Standard on a Parking and Traffic Study prepared for the hotel development project application. The updated Zoning Code could state that the number of parking spaces required for the hotel will be as determined necessary by a parking and traffic study prepared for a hotel development project application. The Code could allow for a percentage of this needed parking to be accommodated off site.</p>	<p style="text-align: center;">3</p>
<p>Option 4: Allow Planning Commission and/or City Council to establish parking standards for an individual project based on performance criteria. Similar to Option 2, the Planning Commission or City Council could establish on-site and off-site parking requirements for a Village Hotel in response to a specific application. This requirement would reflect the findings of a parking and traffic study. In addition, the Zoning Code could contain specific findings that the City must make when establishing this requirement. The findings, or “performance criteria,” could reflect public input on Village Hotel parking and circulation obtained during the General Plan Update process. For example, the Zoning Code could state that when establishing the required parking for the Village Hotel, the City must find that:</p> <ul style="list-style-type: none"> • The hotel is served by a combination of on-site and off-site parking. • Parking provided on-site is no more than the minimum necessary for an economically viable hotel. • On-site parking is minimized to reduce vehicle traffic in the Village and strengthen the Village as a pedestrian-oriented destination. • On-site hotel parking will not result in any noticeable increase in traffic congestion in the Village. • Additional parking to serve the hotel is located within 1,000 feet of the proposed hotel. 	<p style="text-align: center;">4</p>
<p>Option 5: Other suggestion. (Explain)</p>	<p style="text-align: center;">5</p>

Issues and Options Survey	Check Preferred Option(s)
Issue #5C: Parking Efficiency (Page 16)	
Option 1: Maintain existing regulations.	<input type="text" value="1"/>
Option 2: Clarify existing code to match past practice, including:	
A: Add New Shared Parking Provision. The updated Zoning Code could allow multiple land uses on a single parcel or development site to use shared parking facilities when operations for the land uses are not normally conducted during the same hours, or when hours of peak use differ.	<input type="text" value="2a"/>
B: Add new parking lift provisions. The updated Zoning Code could specifically allow for elevator-like mechanical system to stack parking spaces in a vertical configuration. Many cities are incorporating such a provision into their zoning codes to allow for a more efficient use of structured parking areas.	<input type="text" value="2b"/>
Option 3: Other suggestion. (Explain)	<input type="text" value="3"/>
Issue #5D: Garages (Page 17)	
Option 1: Maintain existing regulations.	<input type="text" value="1"/>
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 would be added.	<input type="text" value="2"/>
Option 3: Limit covered spaces to garages only. Specify that a carport may not satisfy the covered parking requirement.	<input type="text" value="3"/>
Option 4: Eliminate covered parking requirement. Remove the requirement for covered parking spaces for single-family homes.	<input type="text" value="4"/>
Option 5: Other suggestion. (Explain)	<input type="text" value="5"/>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue #6: Historic Preservation (Page 17)</p>	<p style="text-align: center;">1</p>
<p>Option 1: Establish a Historic Resources Board. Many communities with historic resources establish a historic resources board or commission to assist with historic preservation activities. The roles and responsibilities of the historic resources board vary in different communities. Common functions include determining if modifications to a historic resource are consistent with the Secretary of Interior’s Standards, advising on designation of historic features, advising on impacts to historic resources under CEQA, and advising the Planning Commission and City Council on other matters pertaining to historic preservation.</p>	
<p>Option 2: Establish a new Historic Preservation Overlay Zone. Capitola could establish a new historic preservation overlay zone to apply to existing National Register Historic Districts (Old Riverview, Rispin, Six Sisters and Lawn Way, Venetian Court.). Properties within this overlay could be subject to special permit requirements, design standards, and incentives for preservation.</p>	<p style="text-align: center;">2</p>
<p>Option 3: Establish new enforcement and penalty provisions. The updated Zoning Code could strengthen enforcement and penalty provisions. Pacific Grove, for example, establishing financial penalties and development limitations on structures in violation of the City’s historic preservation ordinance.</p>	<p style="text-align: center;">3</p>
<p>Option 4: Establish new maintenance and upkeep provisions. Capitola could include language specifically requiring adequate maintenance and upkeep of historic resources to prevent demolition by neglect.</p>	<p style="text-align: center;">4</p>
<p>Option 5: Other suggestion. (explain)</p>	<p style="text-align: center;">5</p>

Issues and Options Survey	Check Preferred Option(s)
Issue 7: Signs (Page 19)	
A. Threshold for Review	
Option 1: Maintain existing regulations.	1
Option 2: Allow staff-level review with new standards. Revise sign standards to include new, well-defined and well-illustrated design standards that create maximum allowances within staff-level review and an option for Planning Commission review for signs that go beyond the maximum allowance. In this option, new maximum limits are established. Signs can be approved administratively within an over-the-counter permit.	2
Option 3: Other suggestion. (explain)	3
B. Tailored Standards (Page 19)	
Option 1: Maintain existing regulations.	1
Option 2: Create tailored standards for different commercial areas. Certain sign standards could be adjusted to address the unique issues in different commercial areas. Tailored standards could address types of permitted signs, maximum sign area, sign dimensions, sign location and placement, illumination, materials, and other issues. The Livermore Development Code, beginning in Section 4.06.160, is an example of this approach: http://www.codepublishing.com/ca/livermore.html The general desired signage character for different districts in Capitola could be as follows: <ul style="list-style-type: none"> • Village: Pedestrian oriented signs, village scale • Neighborhood Commercial: Neighborhood-scale signs serving pedestrians and vehicles • 41st Avenue: Larger-scale signs that are auto-oriented to support corridor as a regional shopping destination. • Auto Plaza Drive: Unique to the use (auto-dealers) and address visibility challenges • Industrial Zone (Kennedy Drive): More industrial design aesthetic and flexibility of type and materials. 	2
Option 3: Other suggestion. (explain)	3

Issues and Options Survey	Check Preferred Option(s)
C. Monument Signs (Page 20)	
Option 1: Maintain existing regulations.	<input type="checkbox"/> 1
Option 2: Create a new limit for monument signs based on linear frontage along a prime commercial street.	<input type="checkbox"/> 2
Option 3: Create an allowance for more than 4 tenants per monument sign.	<input type="checkbox"/> 3
Option 4: Update Master Sign Plan to clarify discretion in monument signs (lot size, # of tenants, and frontage).	<input type="checkbox"/> 4
Option 5: Other suggestion. (explain)	<input type="checkbox"/> 5
Issue 8: Non-Conforming Uses (Page 20)	
8.A. Calculation of Structural Alterations (Page 21)	
Option 1: Maintain the existing 80 percent building valuation maximum of present fair market value.	<input type="checkbox"/> 1
Option 2: Maintain valuation cap but allow the Planning Commission to authorize additional alterations if specific findings can be made.	<input type="checkbox"/> 2
Option 3: Remove valuation cap for structural alterations to non-conforming structures. In this option, all non-conforming structures could be maintained and updated, provided that the alterations do not create a greater degree of non-conformity. Any addition to a non-conforming structure would be required comply with all development standards of the zone.	<input type="checkbox"/> 3
Option 4: Change building valuation cap to a percentage of square footage calculation. Under this approach, alterations to non-conforming structures would be limited based on how much of the existing structure is modified. For example, the new code could limit alterations to non-conforming structures to 80% of the existing square-footage. Using a percent of square footage approach would be easy to understand and administer and would significantly reduce disagreements over valuation calculations, while still limiting the degree of allowable modifications.	<input type="checkbox"/> 4
Option 5: Maintain the existing 80% threshold with new exception for historic resources. In this option the 80% maximum of present fair market value would be maintained. An exception for historic structures would be added to allow historic structures to be updated. Any addition to a historic structure must comply with all development standards of the zone.	<input type="checkbox"/> 5
Option 6: Other suggestion. (explain)	<input type="checkbox"/> 6

Issues and Options Survey	Check Preferred Option(s)
Issue 8: Non-Conforming Uses (Continued)	
B. Non-conforming activities and structures on improved R-1 parcels. (Page 22)	
Option 1: Maintain existing sunset clause and opportunity to apply for extension.	<input type="checkbox"/>
Option 2: Modify regulations to allow non-conforming multi-family uses to remain throughout the City, but not intensify. This approach could be applied citywide with appropriate findings or only to specific areas.	<input type="checkbox"/>
Option 3: Modify regulations to allow non-conforming multi-family uses to remain in targeted areas of the City. Under this option, a sunset clause could be retained for areas like the northern Jewel Box neighborhood, but would be eliminated in areas where multi-family uses have had fewer compatibility issues.	<input type="checkbox"/>
Option 4: Rezone areas with existing non-conforming multi-family uses to a multi-family zone. This approach could be applied citywide or only to specific areas.	<input type="checkbox"/>
Option 5: Create an incentive program to allow participating non-conforming property owners to retain their uses subject to providing specified public benefits. For example, a program could be established to allow property owners to continue non-conforming multi-family uses if they provide guaranteed affordable housing, make significant investments in the structures which improve appearance and function, invest in neighborhood improvements (landscaping, parking, etc.) and/or reduce the degree of non-conformity (e.g., reduce a 4-plex to a 3-plex or a duplex).	<input type="checkbox"/>
Option 6: Other suggestion. (explain)	<input type="checkbox"/>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 9: Secondary Dwelling Units (Page 24)</p>	
<p>Option 1: Maintain existing code allowances/limitations for secondary dwelling units.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">1</div>
<p>Option 2: Amend the code to encourage development of additional secondary dwelling units. If this option is selected, the following changes may be considered:</p>	
<p style="padding-left: 20px;">a. Decrease the minimum lot size requirement for secondary dwelling units;</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2a</div>
<p style="padding-left: 20px;">b. Increase the threshold which triggers the need for Planning Commission review;</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2b</div>
<p style="padding-left: 20px;">c. Allow all secondary dwelling units to be approved through an administrative process;</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2c</div>
<p style="padding-left: 20px;">d. Eliminate the current residency requirement and allow both the primary and secondary dwellings to be rented.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2d</div>
<p>Option 3: Amend the code to encourage development of additional secondary dwelling units in specific areas of the City only.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">3</div>
<p>Option 4: Other suggestion. (explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">4</div>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 10: Permits and Approvals (Page 24)</p>	
<p>Option 1: No change to existing permits.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1</div>
<p>Option 2: Modify permits. With this option staff will look for opportunities to combine, delete, and add permits in the zoning code to better meet the city's needs. Possible changes include the following:</p>	
<p>a. Create a new Administrative Permit. This new permit would be used for a wide range of existing, ministerial staff-level actions. It could be used as a general replacement for existing fence permits, temporary sign permits, approvals of temporary sidewalk/parking lot sales, and temporary storage approvals.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2a</div>
<p>b. Create a new Minor Use Permit. This new permit would be similar to a Conditional Use Permit except that it would be approved by Community Development Director. Notice would be mailed to neighbors prior to final action by Community Development Director and decisions could be appealed to Planning Commission. The Director could also choose to refer applications to Planning Commission for decision. A Minor Use Permit could be a good middle ground for uses that shouldn't be allowed by-right, but that also generally don't need to go the Planning Commission for a public hearing and approval, such as a home occupancy permit and transient occupancy permits.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2b</div>
<p>c. Create a New Substantial Conformance Process. The zoning code currently requires applicants to submit a new application if they wish to make any changes to an approved permit – even if the change is very minor in nature. Under this option, a substantial conformance process would be developed to allow administrative approval of specified minor alterations while still requiring Planning Commission consideration of more substantive changes.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2c</div>
<p>Option 3: Other suggestion. (explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3</div>

Issues and Options Survey		Check Preferred Option(s)
Issue 11: Architecture and Site Review (Page 25)		
A. Authority of Architecture and Site Review Committee (Page 25)		
Option 1: Maintain existing authority of Architecture and Site Committee.		<input type="checkbox"/> 1
Option 2: Modify existing role of the Architecture and Site Committee. Authorize the Architecture and Site Committee to approve or deny design permit applications. Thresholds may be established for the projects that require Architecture and Site Committee approval rather than Planning Commission approval. Under this approach, decisions rendered by the Committee could be appealed to the Planning Commission.		<input type="checkbox"/> 2
Option 3: Eliminate the Architecture and Site Committee. Three of the six members of the Committee are City staff. The project planner could work with these staff members and outside experts to address project design issues.		<input type="checkbox"/> 3
Option 4: Other suggestion. (explain)		<input type="checkbox"/> 4
B. Timing of Design Permit Review (Page 26)		
Option 1: Maintain existing timing of Architecture and Site Review.		<input type="checkbox"/> 1
Option 2: Repurpose the committee to be a pre-design committee. In this option, the committee would meet with an applicant prior to accepting a formal development application. The committee would identify characteristics of the site/neighborhood to guide the future design. Staff would provide guidance on the development requirements for zoning, public works, and building.		<input type="checkbox"/> 2
Option 3: Other suggestion. (explain)		<input type="checkbox"/> 3

Issues and Options Survey	Check Preferred Option(s)
Issue 11: Architecture and Site Review (Continued)	
C. Composition of Architecture and Site Committee (Page 26)	
Option 1: Maintain the existing composition of the Architecture and Site Committee.	<input type="checkbox"/>
Option 2: Replace the committee with a City Architect. Under this option, the City would contract an architect to review all development applications, provide design solutions, and make recommendations to staff and the Planning Commission. The downside of this option is that the valuable input of the historian and landscape architect would be eliminated in the review, unless those services are also separately contracted.	<input type="checkbox"/>
Option 3: Replace committee with an Architectural Peer review committee. The committee could be replaced with an architectural peer review committee made up of three or more architects. The architectural peer review committee would continue to make a recommendation to the Planning Commission.	<input type="checkbox"/>
Option 4: Revise committee to add any of the following: water district staff, sewer district staff, fire district staff, additional architect, and/or a citizen's representative.	<input type="checkbox"/>
Option 5: Other suggestion. (explain)	<input type="checkbox"/>
Issue 12: Design Permits (Page 27)	
A. When a Design Permit is Required – Commercial Uses (Page 27)	
Option 1: Maintain existing thresholds.	<input type="checkbox"/>
Option 2: Require Design Permits only for Exterior Modifications. With this option, a design permit would be required to establish a new use only with an exterior modification to the structure. All other commercial design permit thresholds would remain the same.	<input type="checkbox"/>
Option 3: Require Design Permit only for Larger Projects. Design permit thresholds could be lowered so that fewer types of commercial projects require a Design Permit. This approach could be similar to Santa Cruz, where design permits are required only for new commercial structures and exterior remodel increasing floor area by 25 percent or exceeding a specified dollar value.	<input type="checkbox"/>
Option 4: Other suggestion. (explain)	<input type="checkbox"/>

Issues and Options Survey	Check Preferred Option(s)
<p>B. Design Permit Approval Authority – Commercial Use (Page 27)</p>	
<p>Option 1: Maintain existing review authority.</p>	<input type="checkbox"/> 1
<p>Option 2: Delegate limited approval authority to the Director With this option, the Director would approve more types of commercial projects requiring a Design Permit. For example, the Director could approve:</p>	
<p>a. Minor repairs, changes and improvement to existing structures which use similar, compatible or upgraded quality building materials.</p>	<input type="checkbox"/> 2a
<p>b. Additions not visible from the front façade up to a specified square-footage threshold.</p>	<input type="checkbox"/> 2b
<p>c. Expansion of one tenant space into a second tenant space in a multi-tenant building.</p>	<input type="checkbox"/> 2c
<p>d. Dish-type antenna greater than 24 inches as specified.</p>	<input type="checkbox"/> 2d
<p>e. Accessory structures</p>	<input type="checkbox"/> 2e
<p>Option 3: Other suggestion. (explain)</p>	<input type="checkbox"/> 3

Issues and Options Survey	Check Preferred Option(s)
<p>C. When a Design Permit is Required – Residential Uses (Page 28)</p> <p>Option 1: Maintain existing thresholds.</p>	<p style="text-align: center;">1</p>
<p>Option 2: Modify threshold for residential design permits. The threshold could be revised in multiple ways. Thresholds that could be modified to include:</p> <ul style="list-style-type: none"> a. Increase existing threshold (greater than 400 square feet) for additions located on the rear of a single family home b. Allow first story additions (unlimited) that are located on the back of an existing home and comply with all standards of the code. c. Allow minor additions to the front of a building that upgrade the front façade and comply with all standards of the code. Minor additions could include enclosing recessed entrances, enclosing open front porches, and installation of bay windows. 	<p style="text-align: center;">2a</p> <p style="text-align: center;">2b</p> <p style="text-align: center;">2c</p>
<p>Option 3: Other suggestion. (explain)</p>	<p style="text-align: center;">3</p>
<p>D. Design Permit Approval Authority – Residential Use (Page 29)</p> <p>Option 1: Maintain existing review authority.</p>	<p style="text-align: center;">1</p>
<p>Option 2: Delegate limited approval authority to the Director With this option; the Director would approve more types of commercial projects requiring a Design Permit. For example, the Director could approve:</p>	<p style="text-align: center;">2</p>
<p>Option 3: Other suggestion. (explain)</p>	<p style="text-align: center;">3</p>

Issues and Options Survey	Check Preferred Option(s)
Issue 12: Design Permits (continued)	
E. Consideration for Design Permit Approval (Page 29)	
Option 1: Maintain existing architecture and site considerations.	<input type="checkbox"/>
Option 2: Maintain the existing architecture and site considerations with additional considerations focused on design, including massing; height, scale and articulation, neighborhood compatibility; privacy; quality exterior materials; and submittal requirements	<input type="checkbox"/>
Option 3: Update design considerations to focus on design rather than including ancillary issues. In this option, existing ancillary issues would be removed from the criteria and the updated list would focus on design, materials, context, and compatibility.	<input type="checkbox"/>
Option 4: Other suggestion. (explain)	<input type="checkbox"/>
Issue 13: Planned Development (Page 30)	
Option 1: Maintain existing regulations.	<input type="checkbox"/>
Option 2: Reduce or eliminate minimum parcel size requirement. Reduce the minimum parcel size required to establish a PD district, or eliminate the minimum parcel size requirement entirely. This option would eliminate or establish a new minimum parcel size (possibly 1 or 2 acres). It is typical for there to be some minimum size requirement, so that individual single-family lots cannot be rezoned to PD, for example.	<input type="checkbox"/>
Option 3: Modify approval process. Modify the planned development review process so that the City Council reviews the preliminary development plan as well as the general development plan. This change would add an additional step in the process but would increase certainty for applicants and allow the City Council to influence project design earlier in the process.	<input type="checkbox"/>
Option 4: Eliminate PD. Eliminate the PD district entirely. To deviate from standards of the applicable zoning district, an applicant would need to receive a variance, a rezone, or some other exception to development standards.	<input type="checkbox"/>
Option 5: Other suggestion. (explain)	<input type="checkbox"/>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 14: Environmental and Hazard Overlays (Page 30)</p> <p>Option 1: Maintain existing overlays and clarify boundaries. In this option all five of the existing environmental and hazard overlays would be maintained and shown on the zoning map.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1</div>
<p>Option 2: Modify existing overlays. This option would modify existing overlays as described below:</p> <ul style="list-style-type: none"> ● Archaeological/Paleontological Resources (APR). Eliminate this overlay zone. Continue to require the preparation of an archaeological survey report and mitigation plan for any project which disturbs native soils in an area with a probability of containing archaeological resources. Continue to address issue through CEQA process. ● Automatic Review (AR). Remove this overlay zone as it duplicates current process. ● Coastal Zone (CZ). Maintain this overlay zone as required by State law. ● Floodplain (F). Move existing Chapter 17.50 (Floodplain District) out of the zoning code and remove the floodplain overlay boundaries from the zoning map. Floodplain regulations are administered by the Building Official, not the Community Development Director, and should be located in Title 15 (Buildings and Construction), not the zoning code. The boundaries of this overlay should not be included in the zoning map, as they are based on FIRM maps which are frequently changing, particularly with rising seas. ● Geological Hazards (GH). Eliminate this overlay zone and replace with citywide standards for proposed development in beach areas, bluff and cliff areas, landslides-prone areas, and steep slope areas ● Chapter 17.95 (Environmentally Sensitive Habitats). Map boundaries of these areas as a new overlay zone and maintain existing regulations. 	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2</div>
<p>Option 3: Create a new, consolidated environmental/hazards overlay. This option would merge the overlays into one new environmental/hazards overlay. The zoning code would state that proposed development within these areas could be subject to additional standards and limitations. The Coastal Zone overlay would remain as a separate overlay. This option could be combined with the creation of new citywide standards that would address geological hazards, flood hazards, sensitive habitat, and archaeological/paleontological resources.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3</div>
<p>Option 4: Other suggestion. (explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">4</div>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 15: Visitor-Serving Uses on Depot Hill (Page 31)</p>	
<p>Option 1: Maintain existing permitted uses.</p>	<input type="checkbox"/> 1
<p>Option 2: Modify permitted use. With this option the VS zoning would remain on the El Salto and Monarch Cove Inn properties, but the land uses permitted on the properties would be restricted. For example, uses permitted on the Monarch Cove Inn property could be limited to residential and visitor accommodation uses, with other non-residential commercial uses currently allowed, such as carnivals and circuses, no longer permitted.</p>	<input type="checkbox"/> 2
<p>Option 3: Limit intensity of visitor accommodation uses. This option would also maintain the VS zoning on the El Salto and Monarch Cove Inn properties, but would reduce the maximum permitted intensity of hotels and other visitor accommodation uses on the site. This could be accomplished by limiting the square footage of new or existing uses, specifying a maximum number of permitted guest rooms, or reducing the maximum allowable lot coverage on the site.</p>	<input type="checkbox"/> 3
<p>Option 4: Rezone to R-1. A final option is to eliminate the VS zoning that applies to the Monarch Cove Inn and El Salto properties. Currently the properties are subject to VS/R-1 “dual zoning,” meaning that both the R-1 and VS zoning standards apply to the property. If the VS zoning were eliminated, visitor accommodation and related visitor-serving uses (aside from bed and breakfast establishments) would not be allowed on the properties.</p>	<input type="checkbox"/> 4
<p>Option 5: Other suggestion. (explain)</p>	<input type="checkbox"/> 5

Issues and Options Survey	Check Preferred Option(s)
Issue 16: Height (Page 32)	
A. Residential Neighborhoods (Page 32)	
Option 1: Maintain existing standards.	<input type="checkbox"/>
Option 2: Eliminate 27-foot exception. This option would eliminate the 27-foot height exception by requiring all buildings to meet either a 25-foot or 27-foot height standard.	<input type="checkbox"/>
Option 3: Allow greater variation based on existing neighborhood character. This option would allow greater variation in permitted building height based on neighborhood characteristics. There are a number of different ways to achieve this as described in Issue #1.	<input type="checkbox"/>
Option 4: Other suggestion. (explain)	<input type="checkbox"/>
B. Capitola Village (Page 33)	
Option 1: Maintain existing standard.	<input type="checkbox"/>
Option 2: Expand exception provisions. With this option the zoning code could modify the existing exception provision to allow taller buildings in more cases. For example, the Planning Commission could allow taller buildings if it would allow for a superior design or would enable the project to provide a substantial community benefit.	<input type="checkbox"/>
Option 3: Increase maximum height limit to accommodate 3 stories. The zoning code could increase the maximum allowed building height to accommodate three stories. This could be accompanied by new standards and findings to ensure taller buildings are compatible with the existing Village character and don't negatively impact adjacent residential areas. Allowing three-story buildings in the Village could increase opportunity for new vertical mixed use development with ground floor retail and housing or office uses above.	<input type="checkbox"/>
Option 4: Other suggestion. (explain)	<input type="checkbox"/>

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 16: Height (continued)</p>	
<p>C. Hotel (Page 33)</p>	
<p>Option 1: Apply CV Zone Standard to Hotel. This option would apply the same height standard to the Village hotel that applies to all other properties in the Village. If the maximum permitted height in the CV remains at 27 feet, the hotel could also not exceed 27 feet. However, this option would not be consistent with General Plan goals and Policy LU-7.5.</p>	<input type="checkbox"/> 1
<p>Option 2: Establish Performance Standard for Hotel Height. In zoning codes, performance standards dictate a specific outcome and provide flexibility in how best to achieve the outcome on a case-by-case basis. The Zoning code could establish a performance standard for the Hotel height instead of a numerical standard. This performance standard could be similar to the guiding principle in the General Plan that the maximum height of the hotel should remain below the elevation of the bluff behind and that the bluff behind the hotel should remain legible as a green edge with existing mature trees maintained on site.</p>	<input type="checkbox"/> 2
<p>Option 3: Establish a Numerical Standard Unique to Hotel. The updated zoning code could contain a specific numerical standard for the maximum hotel height. One approach might be to limit building height at the Monterey Avenue frontage to two stories but allow a greater maximum height at the rear of the property as contemplated in the General Plan.</p>	<input type="checkbox"/> 3
<p>Option 4: Other suggestion. (explain)</p>	<input type="checkbox"/> 4

Issues and Options Survey	Check Preferred Option(s)
<p>Issue 17: Floor Area Ratio (Page 34)</p>	
<p>A. Decks (Page 35)</p>	
<p>Option 1: Maintain existing standards.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1</div>
<p>Option 2: Increase allowance beyond 150 sf. Update Floor Area calculation to increase the amount of area within covered first story decks and second story decks that is not counted toward the floor area calculation. The 150 sf allowance could be doubled to 300 sf.</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">2</div>
<p>Option 3: Add exception for special circumstances. There are special circumstances in which allowing a second story deck will not have an impact on neighbors or may be an asset to the public. The code could include exceptions for special circumstances to allow larger decks that are not counted toward the floor area.</p> <ul style="list-style-type: none"> a. Front Façade. Privacy issues are typically on the side and back of single family homes. The ordinance could consider increased flexibility for decks on the first and second story front facades to allow for increased articulation while not impacting privacy of neighbors. There are two options for decks on front facades. The first is to increase the allowed deck area (beyond 150 sf) on the front façade of a home. The second option is to remove front façade decks from the calculation entirely by including front story decks within the list of items <i>not</i> included in the floor area calculation. b. Open Space. There are a number of homes in Capitola that are located adjacent to open space. For example, the homes located along Soquel Creek and ocean front properties. Similar to the prior exception, the code could be revised to either increase the allowed deck area or remove the calculation entirely for decks located on elevations facing open space. c. Restaurants and Hotels. Visitor experiences are enhanced when they take in a view. The code currently does not include an exception for decks on hotels or restaurants. The code could be revised to either increase the maximum allowed deck area of restaurants and hotels or remove decks on restaurants and hotels from the floor area calculation entirely. d. Eliminate decks from FAR formula 	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3a</div> <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3b</div> <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3c</div> <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">3d</div>
<p>Option 4: Other suggestion. (explain)</p>	<div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">4</div>

Issues and Options Survey	Check Preferred Option(s)
Issue 17: Floor Area Ratio (Continued)	
B. Basements (Page 35)	
Option 1: Maintain existing standards.	1
Option 2: Increase existing allowance beyond 250 square feet.	2
Option 3: Remove basements from FAR formula.	3
Option 4: Other suggestion. (explain)	4
C. Phantom Floors, Roof Eaves, and Window Projections (Bay Windows) (Page 36)	
Option 1: Maintain existing standards.	1
Option 2: Remove phantom floors from the FAR calculation.	2
Option 3: Remove roof eaves from the FAR calculation.	3
Option 4: Remove window projects from FAR calculation.	4
Option 5: Remove a combination of phantom floors, roof eaves, and/or window projections from the FAR calculation.	5
Option 6: Other suggestion. (explain)	6
Issue 18: City Council Appeal of Planning Commission Decision (Page 36)	
Option 1: Maintain existing appeal process.	1
Option 2: Add "call-up" procedure without requirement of majority vote by CC to call-up an application.	2
Option 3: Add "call-up" procedure and require majority vote by City Council to call-up an application.	3
Option 4: Other suggestion. (explain)	4