



**FINAL MINUTES
CAPITOLA PLANNING COMMISSION
SPECIAL MEETING
THURSDAY, MAY 19, 2016
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioner Smith: Present, Commissioner Ortiz: Absent, Commissioner Newman: Present, Chairperson Commissioner Welch: Present, Commissioner Westman: Present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda - None

B. Public Comments - None

C. Commission Comments

Commissioner Westman requested an update on appeals. Community Development Director Grunow updated the Commission on the Oak Drive appeal and Verizon law suit. Commission Welch reported a change in street parking in front of 114 Grand.

D. Staff Comments - None

3. PUBLIC HEARINGS

A. Zoning Code Update All Properties within Capitola

Continuation of Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17)

The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Planner Cattan, Senior Planner, City of Capitola

Commissioner Smith commented that on the May 5 hearing minutes reviewed at May 16 special meeting. Although absent at May 16 meeting she watched the video. Asked question related to neon signs and if small signs were going to be allowed. Planner Cattan clarified that the minute reflect the direction of Planning Commission that all neon signs require Planning Commission approval, but do to continued interest the topic will be revisited during the review of the redlines.

Commissioner Smith also brought up non-conforming burden of proof. Request to reword section 92-2 and section 92-8 so findings are softer. Commissioner Newman arrived at 6:09. Commissioner Westman explained that nonconformities do not become legal because you sell your house. If it was legal, there should be records of permits. Commissioner Smith thinks we need to disclose non-conformities to new property owners or buyers. Director Grunow agreed with Commissioner Westman, that the burden of proof is on property owner. Commissioner Newman likes it the way it is. The buyers and realtors should be careful when buying

Planner Cattan provided an overview of each section of the draft zoning code. The Planning Commission discussed each section or directed staff to continue with not changes. The following summarized the section of code and modifications requested by the Planning Commission:

17.96.150.B.1 Self Storage Facilities. Change to required findings.

Planning Commission Direction: Change B.1 to “The location of the proposed self-storage facility is ~~not conducive~~ better suited as self-storage rather than traditional retail due to limited access to or poor visibility from the street.”

17.96.160.B Solar Energy Systems – Height exceptions

Planning Commission Directions: Specify that height exception is for the solar system not the structure.

17.96.170.B. Soquel Creek Pathway, Bulkheads, and Decks: Bulkheads and Decks

Planning Commission Direction: Move B.2. under 17.96.170.A. Remove all of section B.

17.96.190 Temporary Use and Structures: No changes.17.96.200 Unattended Donation Boxes

Planning Commission Direction: Prohibit unattended donation boxes City-wide.

17.100 Mobile Home Conversion: No changes**Part 4 - Permits and Administration**Table 17.108.-1: Review and Decision-Making Authority: Conceptual Review

Planning Commission Direction: Add conceptual review application.

17.108.040: Change title Design Review Committee

Planning Commission Direction: from Design Review ~~Committee~~ to Design Review Process

17.108.040.B. Membership: Modify membership.

Planning Commission Direction: Highlight as a change for City Council. Under membership remove historian; include one contracted landscape architect; and decrease contracted architect from two to one. No appointments. Historian is removed and only applicable within the Historic section of code. Within the historic section of code the Contracted Historic Architect shall review application prior to design review process.

17.112.020 & 30 & 40 Application Preparation and Filing

Planning Commission Direction: Add a flow chart.

17.112.050.B Concurrent Application: Planning Commission role

Planning Commission Direction: Add that Planning Commission makes a recommendation to City Council.

Chapter 17.116 - Administrative Permits: No commentsTable 17.120-1 Permits Requiring Design Permits

Planning Commission Direction:

Single-Family Residential Projects:

Create a maximum threshold in size for accessory structures up to 300 square feet with minor design permit. Beyond 300 sf is a design permit and requires Planning Commission approval.

Modify: Upper floor decks to an existing sign-family home that do not back up to open-space, pursuant to Section 17.16.030.B.8.

Multi-family Residential Projects

Modify as follows: Ground – Floor additions less than ~~3,000 sq. ft. to an existing multi-family structure~~ 15% of the existing floor area of individual unit. Minor Design Permit

Ground-floor additions 15% or more of the existing floor area of individual unit. Design Permit

Repeat: Modify upper floor decks to an existing sign-family home that do not back up to open-space, pursuant to Section 17.16.030.B.8. Design Permit

Non-residential Projects (Including Mixed Use)

Repeat: Create a maximum threshold in size for accessory structures up to 300 square feet with minor design permit. Beyond 300 sf is a design permit and requires Planning Commission approval.

Modify as follows: Additions less than ~~3,000 sq. ft. to an existing multi-family structure~~ 15% of the existing floor area of a non-residential structure where the addition is not visible from the primary street frontage. Minor Design Permit

Modify as follows: Additions of 15% or more of the existing floor area of a non-residential structure. Design Permit

17.110.030.B Single Family Exemptions

Staff Note: Add exemption for “Minor exterior modification or replacement of materials on an existing structure including siding, windows, doors, and roof.”

17.120.040.C Application Submittal and Review: Enhanced Visualization.

Planning Commission Direction: Change shall to “May also require” then explain “enhanced visualization” with examples such as: 3-D renderings, models, expanded streetscapes, viewpoint analysis, etc.

17.120.080 Findings for Approval

Planning Commission Direction: Add additional Finding of Approval as follows: “Maintains the character, scale, and development pattern of the neighborhood.”

Chapter 17.124 – Use Permits

Planning Commission Direction: No changes.

Chapter 17.128 – Variances

Planning Commission Direction: No changes.

Chapter 17.132.070.E – Sign Permits- Findings for Approval

Planning Commission Direction: Remove Finding E.

Chapter 17.136.020.A Minor Modifications: Permit Modifications

Planning Commission Direction: Change “city” to “Planning Commission” in first sentence.

Move A.1 and A. 2 into section B. Excluded Modifications.

#4 change to “Dimension standards and setbacks for parking spaces, driveways, garages, parking lots, and loading areas; and”

17.136.060 Findings for Approval

Planning Commission Directions: Remove “undesirable” from sentence.

Chapter 17.140 – Reasonable Accommodations

Planning Commission Directions: No changes.

Chapter 17.144 – Zoning Code Amendments

Planning Commission Direction: No changes.

Chapter 17.148 Public Notice and Hearing

Planning Commission Direction: Staff to add a table for each type of permit and the required noticing and appeal period. Standardized noticing even if it means a longer noticing than required by state law to create consistency.

Request to remove newspaper noticing in the future because outdated. Understand it is a state requirement but would like to see Capitola support changes to legislation. Public noticing should be on website rather than newspaper.

Add conceptual review to noticing.

Chapter 17.152 Appeals

Planning Commission Direction: No changes.

Chapter 17.156.060.C: Post-Decision Procedures: Performance Guarantees

Planning Commission Direction: Under C. Add up to 150% of cost.

Chapter 17.156.070.C.7.d. Minor Changes and color.

Planning Commission Direction: Remove “and colors” from 7.d.

Chapter 17.156.080.C.3 Time Limits and Extensions: Extension of Time

Planning Commission Direction: Add the word “map” after tentative.

Chapter 17.156.110 Permit Revocation and appeal

Planning Commission Direction: Add process to appeal a permit revocation.

RESULT:	CONTINUED [UNANIMOUS]	Next: 6/13/2016 6:30 PM
MOVER:	TJ Welch, Chairperson	
SECONDER:	Linda Smith, Commissioner	
AYES:	Commissioner Smith, Newman, Welch, Westman	
ABSENT:	Ortiz	

4. DIRECTOR'S REPORT

5. COMMISSION COMMUNICATIONS

Chairperson Welch noted that the Police Appreciation fundraiser is June 6-7.

6. ADJOURNMENT

Approved by the Planning Commission at the special meeting of June 27, 2016.