

Chapter 17.12

ZONING DISTRICTS AND MAP

Sections:

- 17.12.010 Purpose.
- 17.12.020 Zoning districts.
- 17.12.030 Zoning map.

17.12.010 Purpose.

This chapter identifies the zoning districts that apply to land within the Capitola city limits and establishes the official Capitola zoning map.

17.12.020 Zoning districts.

A. Base Zoning Districts. Capitola is divided into zoning districts that implement the general plan land use map as shown in Table 17.12-1. Within the coastal zone, the general plan land use map is the certified coastal land use plan map.

Table 17.12-1: Base Zoning Districts

Zoning District Symbol	Name of Zoning District	General Plan Land Use Designation
Residential Zoning Districts		
R-1	Residential Single-Family	Single-Family Residential (R-SF)
RM- 10L	Residential Multifamily, <u>10 du/ac</u> Low Density	Multifamily Residential (R-MF)
RM- 15M	Residential Multifamily, <u>15 du/ac</u> Medium Density	
RM- 20H	Residential Multifamily, <u>20 du/ac</u> High Density	
<u>RM-30</u>	<u>Residential Multifamily, 30 du/ac</u>	
<u>RM-40</u>	<u>Residential Multifamily, 40 du/ac</u>	
MH	Mobile Home Park	Mobile Home Park (MH)
Mixed Use Zoning Districts		
MU-V	Mixed Use, Village	Village Mixed-Use (MU-V)
MU-N	Mixed Use, Neighborhood	Neighborhood Mixed-Use (MU-N)
Commercial and Industrial Zoning Districts		
C-C	Commercial, Community	Community Commercial (C-C)
C-R	Commercial, Regional	Regional Commercial (C-R)
I	Industrial	Industrial (I)
Other Zoning Districts		
CF	Community Facility	Public/Quasi-Public Facility (P/QP)
P/OS	Parks and Open Space	Parks and Open Space (P/OS)
PD	Planned Development	N/A

B. Overlay Zones. The zoning code and zoning map include the overlay zones shown in Table 17.12-2. Overlay zones impose additional regulations on properties beyond what is required by the underlying base zoning district.

Table 17.12-2: Overlay Zones

Overlay Zone Symbol	Name of Overlay Zone
-VRU	Vacation Rental Use
-VR	Village Residential
-VS	Visitor Serving
-CZ	Coastal Zone

17.12.030 Zoning map.

A. Adoption. The city council hereby adopts the Capitola zoning map (“zoning map”), which establishes the boundaries of all base zoning districts and overlay zones provided for in the zoning map.

B. Incorporation by Reference. The zoning map, including all legends, symbols, notations, references, and other information shown on the map, is incorporated by reference and made a part of the zoning code.

C. Location. The zoning map is kept, maintained, and updated electronically by the community development department, and is available for viewing by the public at the department.

Chapter 17.16

RESIDENTIAL ZONING DISTRICTS

Sections:

- 17.16.010 Purpose of the residential zoning districts.
- 17.16.020 Land use regulations.
- 17.16.030 Development standards.

17.16.010 Purpose of the residential zoning districts.

A. General. The purpose of the residential zoning districts is to support attractive, safe, and friendly neighborhoods consistent with Capitola's intimate small-town feel and coastal village charm. Development within the residential zoning districts will feature high-quality design that enhances the visual character of the community. The mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes. Residential zoning districts contain a range of housing types and community facilities to support diverse and complete neighborhoods with a high quality of life for residents.

B. Specific.

1. Residential Single-Family (R-1) Zoning District. The purpose of the R-1 zoning district is to protect and enhance the unique qualities of individual neighborhoods in Capitola. The R-1 zoning district allows for variation in development standards based on the existing development patterns within these neighborhoods. New development will respect the existing scale, density, and character of neighborhoods to strengthen Capitola's unique sense of place.

2. Residential Multifamily (RM) Zoning District. The purpose of the RM zoning district is to accommodate a range of housing types to serve all Capitola residents. The RM zoning district allows single-family and multifamily housing at higher densities to maintain and increase the supply of affordable housing choices. Housing in the RM zoning district will be carefully designed to enhance Capitola's unique identity and to minimize impacts on adjacent land uses and structures. The RM zone is divided into ~~three~~ five subzones (~~RM-L, RM-M, and RM-H~~) allowing for a range of permitted residential densities.

3. Mobile Home Park (MH) Zoning District. The MH zone provides areas for exclusive development of mobile home parks. Mobile home parks provide a valuable source of affordable housing serving Capitola's lower-income and senior residents.

17.16.020 Land use regulations.

A. Permitted Land Uses. Table 17.16-1 identifies land uses permitted in the residential zoning districts.

Table 17.16-1: Permitted Land Uses in the Residential Zoning Districts

Key		Zoning District			
P	Permitted Use				
A	Administrative Permit required				
M	Minor Use Permit required				
C	Conditional Use Permit required				
–	Use not allowed	R-1	RM	MH	Additional Regulations
Residential Uses [5]					
Cohousing		P	P	P	

Key		Zoning District			
P	Permitted Use				
A	Administrative Permit required				
M	Minor Use Permit required				
C	Conditional Use Permit required				
–	Use not allowed	R-1	RM	MH	Additional Regulations
Duplex Homes		P [4]	P	–	
Elderly and Long-Term Care		–	C	–	
Group Housing		–	P	–	
Mobile Home Parks		–	C	P [1]	Chapter 17.100
Multifamily Dwellings		–	P	–	
Residential Care Facilities, Small		P	P	C [2]	
Residential Care Facilities, Large		C	P	C [2]	Section 17.96.080
Accessory Dwelling Units		A	A	–	Chapter 17.74
Single-Family Dwellings		P	P	C [2]	
Public and Quasi-Public Uses					
Community Assembly		C	C	C	
Day Care Centers		C	C	C	
Home Day Care		P	P	P	
Parks and Recreational Facilities		–	C	C	
Public Pathways and Coastal Accessways		C	C	C	
Schools, Public or Private		–	C	C	
Commercial Uses					
Bed and Breakfast		C	C	–	
Vacation Rentals		See Section 17.40.030			
Transportation, Communication, and Utility Uses					
Utilities, Major		C	C	C	
Utilities, Minor		P	P	P	
Wireless Communications Facilities		See Chapter 17.104			
Other Uses					
Accessory Uses and Structures		P [3]	P [3]	P [3]	Chapter 17.52
Home Occupation		P	P	P	Section 17.96.040
Temporary Uses and Structures		M	M	–	Section 17.96.180

Key		Zoning District			
P	Permitted Use				
A	Administrative Permit required				
M	Minor Use Permit required				
C	Conditional Use Permit required				
–	Use not allowed	R-1	RM	MH	Additional Regulations
Urban Agriculture					
Home Gardens		P	P	P	
Community Gardens		M	M	M	

Notes:

[1] May include offices incidental and necessary to conduct a mobile home park use.

[2] Permitted on the mobile home park parcel or on a separate parcel of no less than five thousand square feet.

[3] An accessory structure that exceeds the development standards of Chapter 17.52 requires a conditional use permit.

[4] Allowed on corner parcels only.

[5] See Section 17.96.210 (Demolition and replacement of dwelling units) for requirements that apply to new residential uses on sites identified as nonvacant in the general plan housing element inventory of land suitable for residential development.

B. Additional Permits. In addition to permits identified in Table 17.16-1, development projects in the residential zoning districts may also require a design permit pursuant to Chapter 17.120 (Design Permits). Modifications to a historic resource may require a historic alteration permit pursuant to Chapter 17.84 (Historic Preservation). Development in the coastal zone may require a coastal development permit pursuant to Chapter 17.44 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

17.16.030 Development standards.

A. ~~General Standards~~—Single-Family ~~and Multifamily~~ Zoning Districts.

1. General Standards. –Table 17.16-2 identifies development standards that apply in the R-1 ~~and RM zoning~~ districts.

Table 17.16-2: Development Standards in the R-1 and RM Zoning Districts

	R-1	RM	Additional Standards
Site Requirements			
Parcel Area, Minimum [1]	5,000 sq. ft.	N/A	
Parcel Width, Minimum [1]	30 ft.	N/A	
Parcel Depth, Minimum [1]	80 ft.	N/A	
Floor Area Ratio, Maximum	See Section 17.16.030(BA)(1)	N/A	Section 17.16.030(AB) Section 17.48.040
Building Coverage, Maximum	N/A	40%	

	R-1	RM	Additional Standards
Open Space	N/A	Section 17.16.030(C)(2)	
Parcel Area per Unit, Minimum	N/A	RM-L: 4,400 sq. ft. RM-M: 2,900 sq. ft. RM-H: 2,200 sq. ft.	
Parking and Loading	See Chapter 17.76		
Structure Requirements			
Setbacks, Minimum			Sections 17.48.030(B)(2) through- (5)
Front	Ground floor: 15 ft. Garage: 20 ft. Second story: 20 ft.	Main structure: 15 ft. Garage: 20 ft.	Section 17.16.030(AB)(32) Section 17.16.030(AB)(45)
Rear	20% of parcel depth; 25 ft. max.	15% of parcel depth	Section 17.16.030(AB)(54)
Interior Side	Ground floor: 10% of parcel width [2] Second story: 15% of parcel width	10% of parcel width [2]	Sections 17.16.030(AB)(54) and (AB)(65)
Street Side, Corner Lots	10 ft.	10 ft.	Section 17.16.030(AB)(54)
Height, Maximum	25 ft.	RM-L: 30 ft. RM-M: 30 ft. RM-H: 35 ft.-	Sections 17.16.030(AB)(76) Section 17.48.020
Accessory Structures and Detached Garages	See Chapter 17.52 [3]		

Notes:

[1] Parcel area, width, and depth requirements apply only to the creation of new parcels. These requirements do not apply to legally created parcels existing as of June 9, 2021. See Title 16 (Subdivisions) for requirements that apply to lot line adjustments to existing parcels that do not comply with the parcel area, width, and depth requirements in this table.

[2] Regardless of parcel width, in no case shall the minimum required interior side ground setback be less than three feet or greater than seven feet.

[3] Chapter 17.52 does not apply to accessory dwelling units, including two-story accessory dwelling units above a detached garage, which are addressed in Chapter 17.74 (Accessory Dwelling Units).

~~**B. Additional Standards in the R-1 Zoning District. The following additional standards apply in the R-1 zoning district:**~~

~~**24.**~~ Floor Area Ratio. Table 17.16-3 identifies the maximum permitted floor area ratio (FAR) in the R-1 zoning district. See Section 17.48.040(B) for floor area calculations.

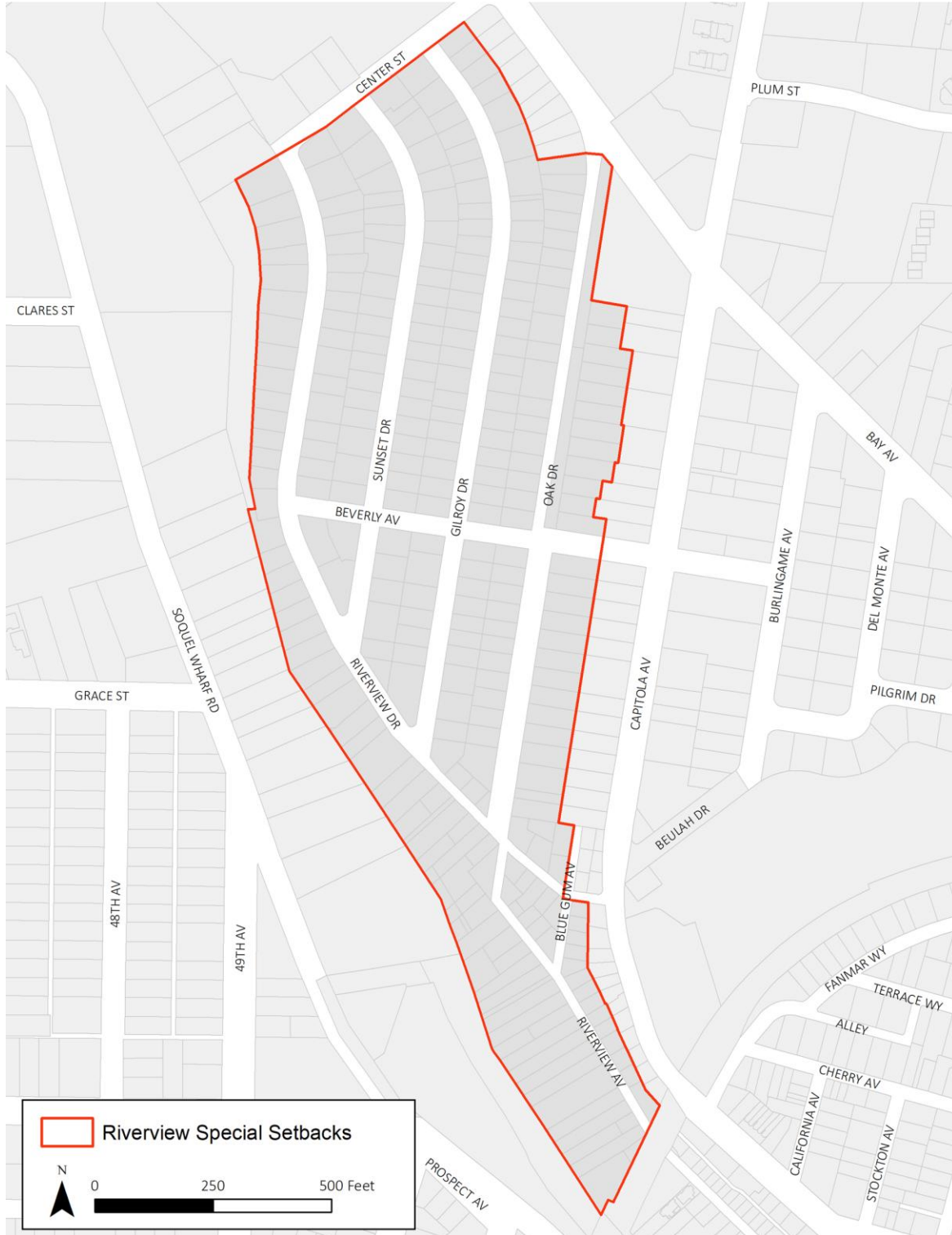
Table 17.16-3: Maximum Floor Area Ratio in the R-1 Zoning District

Lot Size	Maximum FAR
2,650 sq. ft. or less	0.58
2,651 to 3,250 sq. ft.	0.57
3,251 to 3,500 sq. ft.	0.56
3,501 to 3,750 sq. ft.	0.55

Lot Size	Maximum FAR
3,751 to 4,000 sq. ft.	0.54
4,001 to 4,250 sq. ft.	0.53
4,251 to 4,500 sq. ft.	0.52
4,501 to 4,750 sq. ft.	0.51
4,751 to 5,000 sq. ft.	0.50
5,001 to 6,000 sq. ft.	0.49
More than 6,000 sq. ft.	0.48

32. Front Setbacks in Riverview Terrace. Within the areas shown in Figure 17.16-1, the planning commission may approve a reduced front setback to reflect existing front setbacks on neighboring properties within one hundred feet on the same side of the street. The reduced front setback shall in all cases be no less than ten feet.

Figure 17.16-1: Riverview Terrace

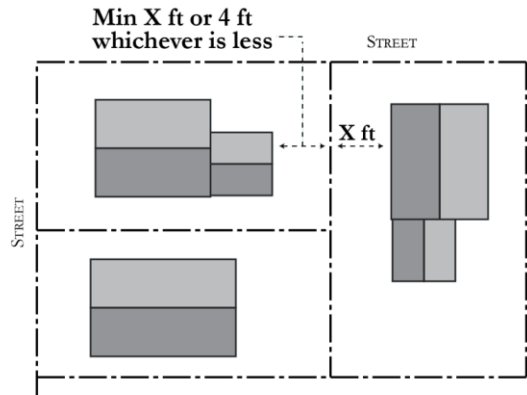


43. Wharf Road Reduced Setback. For properties on the east side of Wharf Road from 1820 Wharf Road to 1930 Wharf Road, the planning commission may approve a reduced front setback to reflect existing front setbacks on neighboring properties within one hundred feet on the same side of the street.

54. Corner Lots.

- a. The minimum rear setback for reverse corner lots shall be the minimum interior side yard of the adjacent property, but no less than four feet. See Figure 17.16-2.
- b. On a corner lot, the front line of the lot is ordinarily construed as the least dimension of the parcel facing the street. The community development director has the discretion to determine the location of the front yard based on existing conditions and functions.

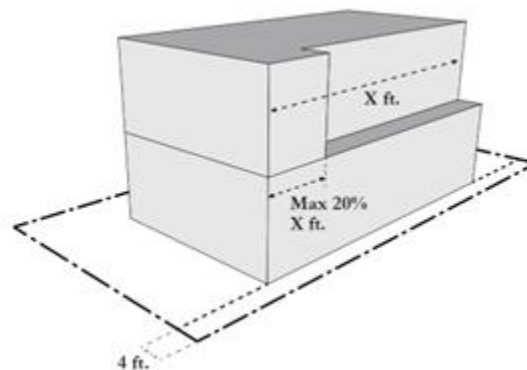
Figure 17.16-2: Reverse Corner Lot Rear Setback



65. Second-Story Setback Exceptions. Second-story additions must comply with increased setback requirements in Table 17.16-2, except in the following cases:

- a. For lots thirty feet wide or less, the minimum interior side setback for a second story is the same as the ground floor.
- b. Up to twenty percent of the length of an upper-story wall may be constructed at the same setback as the first-floor wall if the first-floor wall is at least four feet from the side property line. See Figure 17.16-3.

Figure 17.16-3: Second-Story Setback Exception



76. Height Exceptions. A maximum height of up to twenty-seven feet in the R-1 zoning district is allowed in the following circumstances:

- a. Additions to historic structures that are designed to match the roof pitch of the historic structure within the area of new addition.
- b. Parcels greater than six thousand square feet in size.

- c. Parcels with a width sixty feet or more.
- d. Parcels with an average slope of twenty-five percent or greater.
- e. When the plate height of structure does not exceed twenty-two feet.

87. Landscaping. See Section 17.72.050(A) for residential landscape requirements.

98. Mini-Bar/Convenience Areas.

- a. A single-family home may contain one mini-bar/convenience area in addition to a kitchen, subject to the following standards:
 - i. Fixtures shall be limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches.
 - ii. No gas line or two-hundred-twenty-volt electric service is permitted within the area.
 - iii. Only one such area is permitted within a property in addition to the kitchen.
 - iv. The mini-bar/convenience area may be located inside or outside of the home. If located inside the home, internal access to the area shall be maintained within the dwelling. A mini-bar/convenience area is permitted in addition to an outdoor kitchen.
- b. The requirements in subsection (B)(8)(a) of this section shall not limit the establishment of an accessory dwelling unit in conformance with Chapter 17.74 of this code (Accessory Dwelling Units).

109. Outdoor Kitchens. On a lot occupied by a single-family home, an outdoor kitchen is permitted in addition to an indoor kitchen. Outdoor kitchens shall comply with the following standards:

- a. The kitchen may include gas, electric and plumbing.
- b. Electric service may not be two hundred twenty volts.
- c. Drain size may not exceed that allowed for a mini-bar.
- d. The kitchen may project into the rear setback area as provided in Table 17.48-3.

110. Second-Story Decks and Balconies.

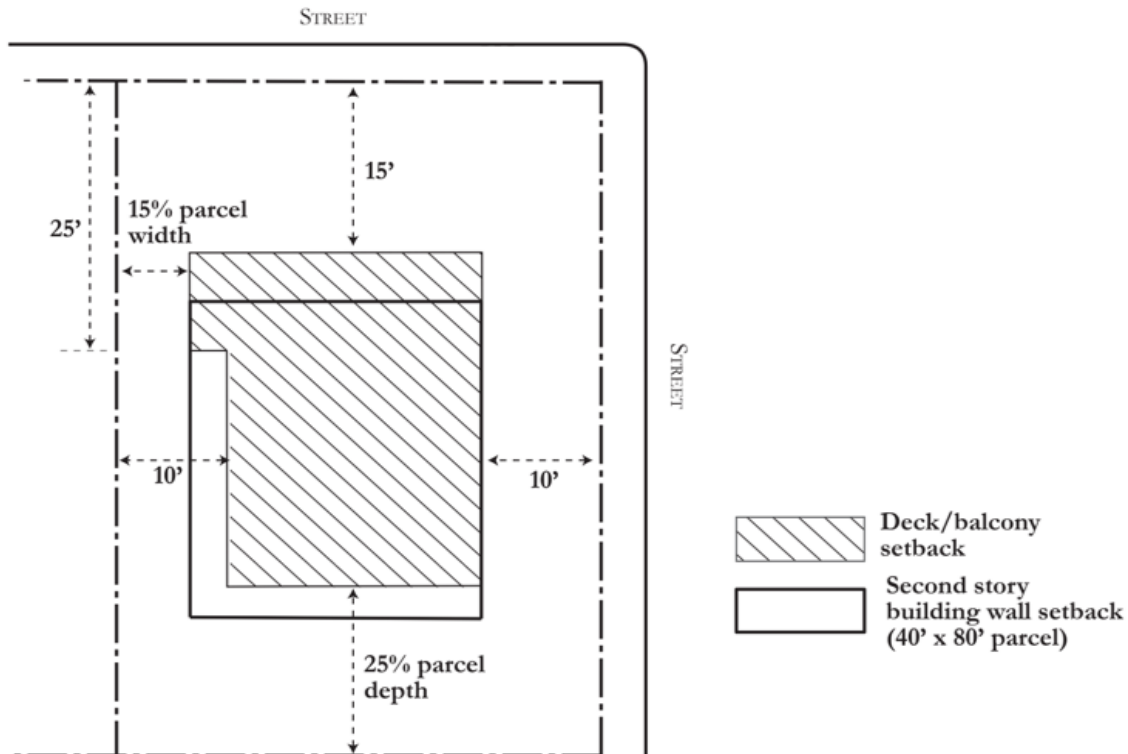
- a. Cumulative upper floor deck area in excess of one hundred fifty square feet is included in the floor area ratio calculation.
- b. A second-story deck or balcony may not face an interior side parcel line abutting a lot with a single-family dwelling.
- c. A second-story deck or balcony must comply with the minimum parcel line setback requirements in Table 17.16-4 and as shown in Figure 17.16-3a:

Table 17.16-4: Second Story Deck and Balcony Setbacks

Parcel Line	Minimum Setback
Front	15 ft.
Interior Side	

Deck area located within 25 ft. of front property line	15% of parcel width
All other decks	10 ft.
Street Side	10 ft.
Rear	25% of parcel depth

Figure 17.16-3a: R-1 Second-Story Decks and Balconies



d. To address neighbor privacy impacts, the planning commission may require permanent privacy screening (e.g., opaque glass, solid materials, vegetation) for an upper floor deck or balcony.

e. A second-story deck or balcony facing the rear of the parcel may not project further than ten feet from the exterior upper-story building wall to which it is attached. For a second story deck or balcony, including staggered or non-linear building walls, the maximum ten-foot projection is measured from the upper floor rear exterior wall.

f. The area of a second-story deck shall not exceed the habitable second-story floor area of the building to which it is attached. For example, if the second story of a home contains two hundred fifty square feet of habitable space, the second story deck area may not exceed two hundred fifty square feet. The second story deck must also comply with all applicable setback and dimensional standards.

g. Roof decks are prohibited in the R-1 zoning district.

h. The elevation of a freestanding deck or platform not attached to a building may not exceed thirty-five inches above the adjoining grade.

BC. Additional Standards for RM Zoning Districts.

1. General Standards. Table 17.16-5 identifies ~~The following additional standards that~~ ~~The following additional standards~~ apply in the RM zoning districts.

Table 17.16-5: Development Standards in the RM Zoning Districts

	<u>RM-10</u>	<u>RM-15</u>	<u>RM-20</u>	<u>RM-30</u>	<u>RM-40</u>	<u>Additional Standards</u>
<u>Site Requirements</u>						
Building Coverage, Maximum	40%	40%	45%	50%	60%	–
Open Space	Section 17.16.030(B)(3)					
Units per Acre, Maximum	10 du/ac	15 du/ac	20 du/ac	30 du/ac	40 du/ac	–
Parking and Loading	See Chapter 17.76					
<u>Structure Requirements</u>						
Setbacks, Minimum						Sections 17.48.030
Front	15 ft.	15 ft.	15 ft.	15 ft. [1]	15 ft. [1]	
Rear	10 ft. [2]	10 ft. [2]	10 ft. [2]	10 ft. [2]	10 ft. [2] [3]	
Interior Side	10% of parcel width [3]	10% of parcel width [3]	10% of parcel width [3]	10% of parcel width [4]	10% of parcel width [3] [4]	
Street Side, Corner Lots	10 ft.	10 ft.	10 ft.	10 ft. [1]	10 ft. [1]	
Height, Maximum						Section 17.48.020
Stories	3	3	3	3	4 [3]	
Top Plate	30 ft.	30 ft.	30 ft.	30 ft.	40 ft.	
Additional for pitched roof [5]	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	
Accessory Structures and Detached Garages	See Chapter 17.52 [6]					

Notes:

[1] The planning commission may approve reduced front and street side setbacks if the reduced setbacks will accommodate development that complies with sidewalk and street tree standards in 17.82.040 (Circulation and Streetscape).

[2] 15 ft. if abutting a R-1 zone.

[3] Fourth story must be setback a minimum of 25 feet from a side or rear property line abutting a residential parcel.

[4] Regardless of parcel width, in no case shall the minimum required interior side ground-floor setback be less than three feet or greater than ten feet.

[5] Additional height permitted only for roof elements with a minimum 5:12 pitch. Exterior doors above the maximum top plate height, as well as decks above the maximum top plate height, are prohibited.

[6] Chapter 17.52 does not apply to accessory dwelling units, including two-story accessory dwelling units above a detached garage, which are addressed in Chapter 17.74 (Accessory Dwelling Units).

12. Single-Family Dwellings. Single-family dwellings in RM zoning districts shall comply with the development standards that apply in the R-1 zoning district.

23. Open Space. Common and private open space in the RM zoning district shall be provided as shown in Table 17.16-65 and Figure 17.16-4.

Table 17.16-~~65~~: Usable Open Space in RM Zoning District

Common Open Space [1]	
Minimum area (percent of site area)	15% [2] [3]
Minimum horizontal dimension	15 ft.
Private Open Space [4]	
Minimum percentage of units with private open space	50%
Minimum area (for individual unit)	48 sq. ft.
Minimum horizontal dimension	4 ft.

Notes:

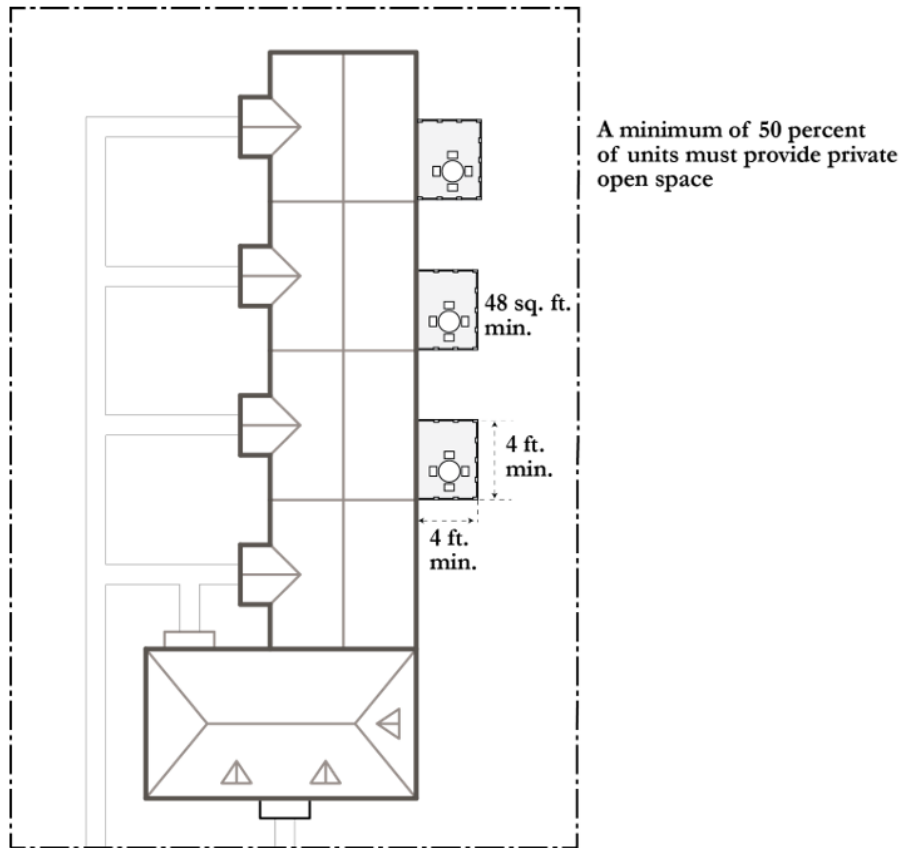
[1] Common open space shall be fully landscaped and accessible to all residents.

[2] See subsection (~~BC~~)(4) of this section for requirements that apply to rooftop decks used as common open space.

[3] The planning commission may allow reduced common open space to a minimum of ten percent for projects less than one acre in size or for projects that provide additional private open space equal to or greater than the amount of reduced common open space.

[4] Private open space may include screened terraces, decks, balconies, and other similar areas.

Figure 17.16-4: Private Open Space



43. Landscaping. See Section 17.72.050(A) for residential landscape requirements.

54. Objective Standards for Multifamily Dwellings. New multifamily dwellings in the RM zoning district must comply with Chapter 17.82 of this code (Objective Standards for Multifamily and Mixed-Use Residential Development).

65. Upper-Level Decks and Balconies.

a. For parcels that are within or abut the R-1 zoning district, second-story decks and balconies must comply with the standards in subsection (AB)(110) of this section (Second-Story Decks and Balconies) and Section 17.82.080(B)(5) of this code (Neighbor Privacy).

b. Roof decks must comply with the following standards:

i. Roof decks are not permitted on parcels that abut the R-1 zoning district.

ii. Roof decks require a design permit.

iii. Roof decks may provide up to fifty percent of the minimum required common open space specified in subsection (BE)(2) of this section.

iv. Where permitted, a roof deck must be set back at least five feet from the building wall closest to the property line.

v. Railings to accommodate a roof deck may project forty-two inches above the maximum building height in cases where the roof deck provides open space for residents.

vi. Other than as needed to provide for roof access, no permanent structure that has a solid roof and/or is enclosed on two or more sides may be placed on or attached to a roof deck. Fully transparent glass wind barriers are allowed.

vii. Roof decks may not be placed on building features that project above the maximum building height permitted in the zoning district.

D. Standards for the MH Zoning District. Table 17.16-~~76~~ identifies development standards that apply in the mobile home park (MH) zoning district.

Table 17.16-~~76~~: MH Zoning District Development Standards

		Additional Standards
Site Area [1]	5 acres [2]	
Residential Density, Maximum	20 units per acre	
Setbacks [3]		17.48.030
Front	15 ft.	
Interior Side	10 ft.	
Exterior Side	10 ft.	
Rear	20 ft.	

Notes:

[1] Applies to overall mobile home park area, not sites for individual units.

[2] For vacant property rezoned to MH, the minimum lot area is five acres. For existing mobile home parks, the minimum parcel size is five acres or the existing parcel size, whichever is less.

[3] Applies only to the perimeter of the mobile home park, not to sites and structures within the interior of the park.