



**FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 2, 2021
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Christiansen, Newman, Westman, Wilk, and Chair Routh were present remotely.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

1. Item 4.b – one public comment email

B. Public Comments – none

C. Commission Comments – none

D. Staff Comments

Director Herlihy thanked Community Development Intern Olivia Beers, who has accepted a job in San Diego and will complete her time with the City of Capitola at the end of the year.

Director Herlihy also announced that the City Council had approved the first reading of the outdoor dining ordinance in a special meeting held on December 1, 2021.

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Oct 7, 2021, 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Peter Wilk, Commissioner
AYES:	Newman, Westman, Wilk, Routh, Christiansen

B. Planning Commission - Regular Meeting - Nov 4, 2021, 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Peter Wilk, Commissioner
SECONDER:	Courtney Christiansen
AYES:	Newman, Westman, Wilk, Routh, Christiansen

4. CONSENT CALENDAR

RESULT:	ITEMS 4.A, 4.B, AND 4.C APPROVED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	Peter Wilk, Commissioner
AYES:	Newman, Westman, Wilk, Routh, Christiansen

A. Consider the 2022 Meeting Schedule for the Planning Commission and Development Review Committee

Consider the 2022 Meeting Schedule for the Planning Commission and Development Review Committee

MOTION: Approve the meeting schedule.

B. 109 Sacramento Avenue #21-0406 APN: 036-144-03

Design Permit to expand an existing second-story deck on an existing single-family residence located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption
Property Owner: Matt and Gretchen DiNapoli
Representative: Jay Plett, Filed: 09.03.21

MOTION: Approve the Design Permit with the following conditions and findings:

CONDITIONS OF APPROVAL:

1. The project approval consists of the expansion of an existing second-story deck by 135 square-feet. The maximum Floor Area Ratio for the 6,000 square foot property is 49% (2,940 square feet). The total FAR of the project is 31.6% with a total of 1,897 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on December 2, 2021, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.

6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #21-0406 shall be paid in full.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District, as necessary.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
15. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
16. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the

applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

17. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

DESIGN PERMIT & CEQA FINDINGS:

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed second-story deck expansion complies with the development standards of the R-1 zoning district.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff and the Planning Commission have reviewed the application for the second-story deck expansion. The project complies with all applicable provisions of the zoning code and municipal code.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15301 of the CEQA Guidelines categorically exempts minor additions and alterations of existing private structures that will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project includes second-story alterations that do not increase the floor area. No adverse environmental impacts were discovered during project review by Planning Department Staff.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed second-story deck expansion will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).**

The Community Development Staff and the Planning Commission have reviewed the application. The proposed second-story deck expansion complies with all applicable design review criteria in Section 17.120.070. Specifically, the project has taken potential privacy impacts into consideration as specified within Capitola's Design Review Criteria.

- F. The proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff and the Planning Commission have all reviewed the application for the second-story deck expansion. The new design of the deck will replace existing wooden balusters with glass panes and will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

- C. 1820 41st Avenue #A #21-0409 APN: 034-131-24**
 REQUEST TO CONTINUE Conditional Use Permit Amendment to include delivery sales of alcohol and non-alcohol retail goods from an existing Retail Alcohol Establishment (BevMo) located in the C-R (Regional Commercial) zoning district.
 This project is not in the Coastal Zone.
 Environmental Determination: Categorical Exemption
 Property Owner: Chaboya Ranch
 Representative: Philip Olson - BevMo, Filed: 10.11.21

MOTION: Approve continuing the item to a future Planning Commission meeting.

5. PUBLIC HEARINGS

A. New State of California Housing Legislation and Community Development Housing Workplan

Update on New State of California Housing Legislation and Community Development Housing Workplan

City Attorney Leila Moshref-Danesh presented on new housing legislation.

Commissioner Wilk and Westman both asked how the legislation could affect the Capitola Mall project.

Commissioner Newman asked about the applicability of Senate Bill 9 for smaller Cities and less urbanized Counties in California.

Commissioner Westman asked how the City might require developers of the mall to address parking concerns. Director Herlihy responded that if the project falls under SB9, the City cannot require discretionary traffic analysis. The Director also clarified that the Bill will not apply to home additions or to any project in the Regional Commercial Zone (where the Mall is located).

In response to a question from Commissioner Routh, Director Herlihy confirmed that the City may choose, but is not required to utilize Senate Bill 10.

RESULT:	RECEIVED REPORT, NO ACTION TAKEN
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B. Prototype ADU Program

Prototype Accessory Dwelling Unit (ADU) Program.
 Representative: Katie Herlihy, Community Development Director
 Applicant: City of Capitola

Omar Hason, Alexandra Sklar, and Jamileh Cannon, of WorkBench, presented on their progress creating architectural designs for Accessory Dwelling Units that will fit the aesthetic and size requirements of the City of Capitola. Sam Suter, from Meta Urban Design, also presented.

Commissioner Wilk asked if a projected cost range could be included in future, so that those interested would have an idea of the cost of using plans to build an ADU would be.

RESULT: RECEIVED REPORT, NO ACTION TAKEN
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6. DIRECTOR'S REPORT – NONE

7. COMMISSION COMMUNICATIONS

Commissioner Newman commented that today's date, December 2, 2021, is a palindrome.

8. ADJOURNMENT

The meeting was adjourned at 7:58PM to the next regular meeting of the Planning Commission on January 20, 2022.

ATTEST:

Chloé Woodmansee, Clerk to the Commission

APPROVED FEBRUARY 3, 2022