

July 15, 2024

City of Capitola- Planning Commission and Zoning

To Whom it May Concern,

I am writing to express my concerns about the current deck code in the City of Capitola, which I believe to be overly restrictive and detrimental to practical and aesthetically pleasing deck designs. There are several key issues with the current code that need to be addressed for more sensible and effective regulations.

1. **Setbacks:** The current setback requirements create significant obstacles for smarter building practices and efficient waterproofing. Deck setbacks should align with the first-floor setbacks with height limits applied, allowing decks to sit atop the floor below and drain efficiently without significantly adding to the building's mass. Here are the current setback requirements:
 - **Deck setbacks:**
 - Side yard: 10 feet
 - Front yard: 20 feet
 - Rear yard: 25% of lot depth
 - **Building Setbacks:**
 - Interior Side yard 1st floor: 10% of parcel width
 - Interior Side yard 2nd floor: 15% of parcel width
 - Exterior side yard: 10 feet
 - Front yard: 15 feet (ground floor), 20 feet (garage)
 - Rear yard: 20% of parcel depth, max. 25 feet

The current regulations do not allow decks to sit directly on the floor below and do not differentiate between interior and exterior side yards. If the deck code was modified in April 2023 to address privacy concerns, exterior side yards should be exempt since they do not impact any neighbor's privacy. Allowing decks to sit above the first-floor setbacks with a maximum height of 15 feet at the deck railing would prevent unnecessary bulk.

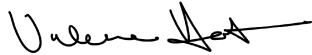
2. **Square Footage:** Counting any deck over 150 sq. ft. as floor area is unnecessary and counterproductive. If massing is a concern, a height limit would address this issue more effectively. The 150 sq. ft. limit also becomes problematic when combined with the 6-foot maximum distance from the building face.

3. **6' Maximum Distance:** Limiting decks to a maximum of 6 feet from the building face is impractical. This barely allows space for chairs and movement. When combined with a 10-foot setback, decks on interior side yards become almost unusable. The 25% rear yard setback further complicates matters, potentially necessitating additional roofing over the first floor. A 6-foot deep deck would need to be 25 feet long to reach the 150 sq. ft. threshold, resulting in a long, narrow deck that is not enjoyable for most people.
4. **Lack of Differentiation Between Yards:** There is no differentiation between interior side yards and exterior/street side yards. Corner lots face unnecessary limitations. Decks on exterior side yards face the street and do not affect neighbors, and should not have any "special" setback requirements. Any concerns about massing can be addressed with a reasonable height limit.
5. **Screening Requirements:** If screening is required, the code should specify clear requirements. The current combination of a 6-foot limit from the building face, restrictive setbacks, and unclear screening requirements creates a claustrophobic deck experience, which is contrary to the purpose of a deck.

In conclusion, these issues with the current deck ordinance need to be addressed to create a more reasonable and practical code that benefits homeowners, designers, and builders. I urge the City to adopt a more sensible code that allows for functional and enjoyable deck spaces.

Thank you for your time and consideration.

Sincerely,



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