

**CITY OF CAPITOLA HOUSING ELEMENT IMPLEMENTATION
PROPOSED ZONING CODE AMENDMENTS**

HOUSING ELEMENT IMPLEMENTATION

Topic (Housing Element Program)	Planning Commission Direction	Amendment Location	Amendment Description
Affordable Housing Overlay (1.1)	7/23/24: No comments on draft amendments	Table 17.12-2; 17.36.080.H.1; 17.40.020	Removes the Affordable Housing Overlay from the City's Zoning Ordinance and Zoning Map
Corner Duplexes (1.6)	2/16/24: Allow duplex on all corner lots subject to same development standards as a single-family home.	Table 17.16-1	Duplex homes allowed on corner parcels in the R-1 zone.
Lot Consolidation (1.1)	2/16/24: Develop incentives to encourage lot consolidation as proposed by staff	17.20.040.K; 17.24.030.J:	Increases height and FAR for housing development projects that consolidate adjacent housing element opportunity sites
Replacement Housing (1.2)	Review of draft amendments requested 9/5/24 7/23/24: No comments on draft amendments	17.96.210	New section requiring no net loss of housing units and replacement of affordable units.
Alternative Housing Types (1.5)	2/16/24; 8/15/24: SROs: Maybe promote if we can count towards RHNA; Live/Work: not priority in Capitola; Micro units: Promote close to transit center; Co-housing: check this box if will please HCD; Workforce: add as community benefit	Table 17.16-1; Table 17.76-2; 17.88; 17.160.020.C; 160.020.M	Adds definition of micro-unit, allows increased height and FARs for micro-units, allows 0.5 parking spaces per unit for micro units; Defines cohousing and lists as allowed use in R-1, RM, and MH zones; Adds teacher housing as an available community benefit
Parking – Multifamily (1.6)	2/16/24: 0.5 per unit <350 sf close to transit 1.0 per unit <500 sf 1.5 per unit 500-750 sf 2.0 per unit ≥750 sf No covered or additional guest parking	Table 17.76-2	Reduces parking require for multifamily dwelling based on unit size
Parking – Senior and Special Needs (1.6)	2/16/24: Revise required parking spaces for senior and special needs housing uses as proposed by staff. Consider needed guest parking	Table 17.76-2	Reduces parking required for group housing, residential care facilities, transitional housing, and senior housing

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Housing on Education and Religious Sites (1.8)	5/2/24; 8/15/24: Create site specific standards for affordable housing projects on land owned by religious institutions as allowed under SB 4	17.96.220	Allows affordable housing projects on land owned by religious institutions consistent Government Code Section 65913.16
Density Bonus (2.5, 3.6)	No prior direction – review of draft amendments requested 9/5/24	18.03	Establishes density bonus procedures consistent with recent updates to state law.
Emergency Shelters (3.1)	7/23/24: No comments on draft amendments	Table 17.24-1; 17.96.030; 17.160.020.E.3:	Adds emergency shelter is “P” use in the C-C zone; Revises standards to comply with Government Code Section 65583(a)(4)(B); Adds statement that emergency shelters may include other services such as navigation centers and bridge housing.
Low Barrier Navigation Centers (3.1)	7/23/24: No comments on draft amendments	17.96.200	Adds statement that low barrier navigation centers are allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Transitional Housing (3.2)	7/23/24: No comments on draft amendments	Table 17.16-1, 17.20-2; Table 17.24-1; 17.160.020.T.5:	Maintains transitional housing in definition of Residential Care Facilities; Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Adds definition of transitional housing in glossary
Supportive Housing (3.2)	7/23/24: No comments on draft amendments	17.96.070	Adds statement that supportive housing is allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Employee Housing (3.3)	7/23/24: No comments on draft amendments	17.160.020.S.5	Adds statement that definition of single-family dwelling includes employee housing for six or fewer persons.
Large Residential Care Facilities (3.4)	7/23/24: No comments on draft amendments	Table 17.16-1, 17.20-2; 17.20.020.F; Table 17.24-1; 17.96.080	Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Removes Large Residential Care Facility standards
Reasonable Accommodations (3.4)	7/23/24: No comments on draft amendments	17.140.070	Revises criteria for reasonable accommodations.

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Daycares (3.6)	7/23/24: No comments on draft amendments	Table 17.25-1	Changes day care centers from a "C" to an "M" use

Additional Zoning Code Cleanup Amendments

Topic	Planning Commission Direction	Amendment Location	Amendment Description
Design Review Process; Architecture and Site Review Committee	Review of draft amendments requested 9/15/24 2/1/24; 5/2/24: Re-establish the Architecture and Site Review Committee. Clarify if Committee should review all Design Permits for single-family homes, or just major projects, such as new single-family homes. Require public notice of pending application.	17.120	Adds public notice of application submitted for design permit applications reviewed by Planning Commission, adds City-contracted design professional involvement in Development and Design Review Committee meeting with applicant for more significant projects, removed design criteria with existing objective standards.
MU-V, MU-N Driveways/Curb Cuts	7/23/24: No comments on draft amendments	17.20.030.F; 17.20.040.F; 17.76.040.C.3.c	Allows exception to driveway and curb cut standards in MU-V and MU-N to allow for one parking space of up to 14 feet in width. Adds cross reference in 17.76.040 to Section 17.20.030.E.6 (Driveways and Curb Cuts)
Opaque windows on second stories	2/1/24: Clarify that opaque windows may be required on case-by-case basis (not always mandatory)	17.16.B.11.d	Opaque windows may be required by the Planning Commission on case-by-case basis, but are not always required
Location of Retail Cannabis Establishments	7/23/24: Allow retail cannabis in C-C fronting 41 st Avenue	Table 17.24-1; 17.24.020(D)	Allow retail cannabis in C-C fronting 41 st Avenue
First floor offices in the C-R Zone	Review of draft amendments requested 9/5/24	17.24.020.C	Expands allowed location for ground floor office uses in the C-R and C-C zoning districts
CDP Waiver or Exclusion for J/ADUs	7/23/24: No comments on draft amendments	17.44.090.C and 17.74	17.44.090.C: Allows for waiver of CDP in non-appealable areas for ADUs 17.74.030.E.2: Allow waiver of CDP for ADUs that meet criteria
Upper Floor Decks	2/1/24: Clarify 150 square feet is cumulative of all decks for FAR calculation. Allow deck on the second story at 15 feet setback instead of 20 feet. The privacy wall on upper story decks should be on a case-to-case basis changing "shall" to "may" be required by PC. Add examples of privacy screens to include opaque materials and vegetation.	17.16.030.B.11; 17.48.040.B.6	Amendments consistent with PC direction

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Accessory Dwelling Units: State Law Conformance	Included in 7/23/24; Review of draft amendments requested 9/5/24	17.74	Updates state law references, adds that front setback deviation permitted for 800 sq. ft. ADU; Clarifies that exceptions to standards to allow for 800 sq. ft. ADU may only be minimum necessary; Updates allowed height consistent with state law.
Parking for SFD Remodels	Included in 7/23/24 Preliminary Draft Amendments	Table. 17.76-2	As required by state law, adds note that additional parking is not required for additions and remodels to single-family homes that conform with building size standards.
Signs	Included in 7/23/24 Preliminary Draft Amendments	Table 17.80-6	Reduces allow wall sign area in MU-N to match total sign area allowed in MU-N (Table 17.80-1)
Consistent Terminology - CDD	Included in 7/23/24 Preliminary Draft Amendments	17.84.080.C	Replaces "CDD" with "community development director" for code consistency.
Historic Alteration Permits	Included in 7/23/24 Preliminary Draft Amendments	17.84.070.C.2	Fixes numbering error.
Historic Preservation Incentives	Included in 7/23/24 Preliminary Draft Amendments	17.84.090.D	Permit review authority approves permit fee reimbursement when acting on permit application.
Permit Time Limits and Extensions	Included in 7/23/24 Preliminary Draft Amendments	17.56.080; 17.156.080.A	Allows the Planning Commission or City Council to establish an alternative permit expiration date when initially approving the permit. Allows the Planning Commission or City Council to approve two four-year extensions (eight years total) to permits.
Home Occupations	Included in 7/23/24 Preliminary Draft Amendments	17.96.040.A	Allows home occupations that comply with standards by right without an administrative permit.
Wireless Communication Facilities	Included in 7/23/24 Preliminary Draft Amendments	17.104	Update Federal CFR references throughout chapter.
Referral of Applications to Planning Commission	Included in 7/23/24 Preliminary Draft Amendments	17.112.090	New section stating the community development may refer any discretionary decision to the Planning Commission.
Good Standing for Permit Review	Reviewed 8/15/24 – No changes directed.	17.112.020.C.3	Adds that City will not accept application for a property with an active code enforcement action unless correction of violation is included as part of the proposed project.
Glossary - Clerestory Window	Included in 7/23/24 Preliminary Draft Amendments	17.160.020.C	Adds definition of clerestory window.

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Definition – Takeout Food and Beverage	Included in 7/23/24 Preliminary Draft Amendments	17.160.020.E	Excludes bars and lounges from definition of takeout food and beverage establishments.
Roof Decks	Included in 7/23/24 Preliminary Draft Amendments	17.160.020.R.9	Clarifies that roof deck is the occupied roof space located above the top story of a structure.
R-1 Garage Setback	Included in 7/23/24 Preliminary Draft Amendments	17.16.030.B.4	Removes minimum garage set back of 5 feet from front building wall. Minimum 20 foot garage setback from front property line in Table 17.16-2 remains.