

# Capitola City Council

## Agenda Report



**Meeting:** November 22, 2022

**From:** Community Development Department

**Subject:** Second Reading of an Ordinance Amending Chapter 17 of the Capitola Municipal Code pertaining to Zoning and Amending the Zoning Map and the Coastal Land Use Plan Map

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**Recommended Action:** 1) Pass an Ordinance amending Title 17: Zoning of Capitola Municipal Code, amending the Capitola General Plan land use map, and amending the Capitola Zoning Map, and 2) Adopt the proposed resolution authorizing submittal to the California Coastal Commission for Certification of amendment to the Local Coastal Program including modifications to the LCP Implementation Plan, Zoning Map, and the Coastal Land Use Plan Map (General Plan Land Use Map).

**Background:** In 2020, the City of Capitola adopted a comprehensive Zoning Code update that applied to areas outside of the coastal zone. In 2021, the Coastal Commission certified the Zoning Code resulting in the updated code applying in the coastal zone.

However, that approval specifically excluded all sections relating to the proposed Monarch Cove Inn policy changes to convert the property from the Visitor Serving zone to a Single-Family base zone with a Visitor Serving Overlay. During the hearing, several Coastal Commissioners were receptive to the request to change the zoning, and no Commissioners declared opposition. The Coastal staff maintained their position and noted loss of Visitor Serving resources, iconic views, and lack of replacement resources as justification for maintaining the property as Visitor Serving. Ultimately, discussion concluded in advising the Monarch Cove Inn owner and the City of Capitola to bring the proposal back before the Coastal Commission as a separate item for consideration.

Since the updated Zoning Code was adopted, staff has identified several necessary amendments. Some amendments are needed to correct drafting errors and resolve ambiguities without substantive changes. Other changes are proposed to improve code organization or address new issues that have arisen since the updated code was adopted. Also, the prior amendments related to the Monarch Cove Inn are being resubmitted with additional economic analysis, as requested by Coastal Commission staff.

On October 20, 2022, and November 3, 2022, the Planning Commission held public hearings for the zoning code amendments.

On November 11, 2022, the City Council unanimously approved the first reading of the ordinance.

**Discussion:** The proposed amendments include edits to the following Zoning Code chapters:

- 17.16: Residential Zoning Districts
- 17.20: Mixed Use Zoning Districts
- 17.24: Commercial and Industrial Zoning Districts
- 17.28: Visitor Serving Overlay Zone
- 17.30 Visitor Serving District – Monarch Cove Inn
- 17.48: Height, Setbacks, and Floor Area
- 17.72: Landscaping
- 17.74: Accessory Dwelling Units
- 17.76: Parking and Loading
- 17.80: Signs
- 17.96: Supplemental Standards
- 17.20: Design Permits
- 17.36: Minor Modifications

- 17.160: Glossary

The proposed ordinance is Attachment 1. The ordinance will not take effect in the Coastal Zone until certified by the California Coastal Commission. A resolution authorizing submittal to the California Coastal Commission for certification is included as Attachment 2. When submitting a certification application to Coastal Commission, analysis of how the amendment is in conformity with and adequate to carry out the certified Land Use Plan must be included. Attachment 4 is the LCP consistency analysis.

Environmental Determination: Categorical Exempt under Section 15061(b)(3)

Fiscal Impact: None.

Attachments:

1. Proposed Ordinance & Exhibit
2. Resolution to Authorize Submittal to California Coastal Commission
3. General Plan Land Use Map amendment
4. LCP Consistency Analysis

Report Prepared By: Katie Herlihy, Community Development Director

Reviewed By: Julia Moss, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager