



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 3, 2022
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Wilk called the meeting to order at 7 P.M. Commissioners Routh, Christiansen, Newman, Westman, and Wilk were present.

2. NEW BUSINESS

3. ORAL COMMUNICATIONS

- A. Additions and Deletions to the Agenda**
- B. Public Comments**
- C. Commission Comments**
- D. Staff Comments**

4. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - December 2, 2021

MOTION: Approve minutes from the December 2, 2021, regular Planning Commission Meeting.

RESULT:	Approved [UNANIMOUS]
MOVER:	Routh
SECONDER:	Westman
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

5. CONSENT CALENDAR

None presented.

6. PUBLIC HEARINGS

- A. 1820 41ST Avenue, Suite A**
Permit Number: #21-0429
APN: 034-131-24

Conditional Use Permit Amendment to allow extended hours of delivery sales for 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 15301

Property Owner: Chaboya Ranch

Representative: Philip Olson - BevMo, Filed: 10.11.21

Senior Planner Brian Froelich presented a brief report. He noted that there's no formal presentation from staff; the item will continue to the April 7, 2022, Agenda because of

scheduling conflict. Also, more time is required to consider the recommendation. Testimony is acceptable per the item's public noticing.

Public comments: None presented.

MOTION: Continue the item to April 7, 2022 Planning Commission Agenda

RESULT:	Continue to April 7, 2022 as recommended [UNANIMOUS]]
MOVER:	Susan Westman
SECONDER:	Courtney Christiansen
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Ed Newman, Peter Wilk

B. Citywide Ordinance Applicable to Single-Family Zone

Ordinance #: 1049

APN: Applicable to all parcels in Single-Family Zone

Project description: Amendments to the Capitola Municipal Code, Adding Section 17.75 Two-Unit Developments to Title 17, Part 3 (Zoning, Citywide Standards), Adding Section 16.78 Urban Lot Splits to Title 16 (Subdivisions), Amending Section 17.74 Accessory Dwelling Units, and Amending Section 16.08 Definitions for the implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and Two-Unit Developments.

Environmental Determination: Implement of Government Code sections 65852.21 and 66411.7, are not considered a project under CEQA.

Property: Ordinance applies in the R-1 (Single-Family) zoning district

Representative: Katie Herlihy, Community Development Director

Director Herlihy presented the report. She sought feedback from the Commissioners on front yard setbacks.

The Commission had a productive discussion.

Commissioner Wilk sought clarification if there's anything in SB9 that indicates City had control over this in terms of driving, driveway parking and utilities as it's in the City's best interest.

City Attorney Rep, Leila Moshref-Danesh commented on compliance with State laws. SB9 includes several permissive sections, which allows the city to place conditions. The city should adopt a position that is compliance-specific, and consistent State laws.

Commissioner Routh noted that per the diagram shown, probably 90% of Capitola's lots might be inconsistent with realities or applicable configurations.

Commissioner Newman inquired if the city's urban lots are typical parcel maps that can be sold separately.

Commissioner Routh asked if the 1200 sq. ft. requirement is defined in SB9.

Commissioner Westman clarified if the back and front parts of a Lot Split Parcel cannot be more than 800ft. Attorney Representative Leila Moshref-Danesh clarified that there could be two 800 sq. ft units in the back and two 800 sq. ft. units in the front in a Urban Lot Split parcel.

Commissioner Wilk clarified the difference between a vacation home and live-in home.

Commissioner Christiansen asked if two parcels legally split can be sold and if it requires deed transfer to the new owners. Director Herlihy will research the item and return to the Commission with accurate responses.

Public comment:

Paula Bradley stated that she sent an email with several questions. Upon recognition by the Chair, she read out questions from her email, re: Ordinance section 16.78 eligibility, etc.

Director Herlihy stated willingness to review the questions and return with answers. She also stated interest in meeting with Paula.

Commissioner Routh stated that there's ongoing effort to repeal SB9; he urged other Commissioners to research this.

MOTION: Continue the conversation to the March 3, 2022 meeting.

RESULT:	Continue conversation to the March 3, 2022 meeting [UNANIMOUS]
MOVER:	Susan Westman
SECONDER:	Mick Routh
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Ed Newman, Peter Wilk

7. DIRECTOR'S REPORT

None presented.

8. COMMISSION COMMUNICATIONS

None presented.

9. ADJOURNMENT

The meeting was adjourned at 9:07PM to the next regular meeting of the Planning Commission on March 3, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission