

Capitola Planning Commission

Agenda Report



Meeting: March 7, 2024

From: Community Development Department

Address: 203 Fanmar Way

Project Description: Design Permit for a second-story addition to a nonconforming single-family residence located within the RM-L (Multi-Family Low Density) zoning district. The project is in the Coastal Zone but does not require a Coastal Development Permit.

Recommended Action: Staff recommends the Planning Commission approve application #24-0025 based on the Conditions and Findings of Approval.

Property Owner: Pete Margaretich

Representative: Pete Margaretich Filed: 11/20/2023

Background: The applicant is proposing to construct a 381-square-foot second-story addition to an existing nonconforming single-family residence. The application requires Planning Commission approval of an upper floor addition pursuant to 17.120.030.

On February 14, 2024, the Development and Design Review staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: asked the applicant to show where downspouts terminate to the ground.

Building Official, Eric Martin: advised that additional structural details and calculations would be needed with the Building Permit plan set.

Senior Planner, Brian Froelich: confirmed that trash cans are stored behind the driveway gate and advised that the applicant would need to show privacy screening at the side of the upper floor deck with the Building Permit plan set. Informed the applicant of the city's 15% canopy goal and suggested planting a tree with a 20-foot canopy at maturity.

Following the Development and Design Review meeting the applicant updated the plans to note the downspout locations, additional material callouts, and understood that there would be a condition of approval for a 20-foot canopy tree.

Development Standards: The following table outlines the zoning code requirements for development of a single-family home in the RM-L zoning district. Single-family dwellings in the RM zoning districts shall comply with the R-1 development standards pursuant to section 17.16.

R-1 (Residential Single-Family) Zoning District

Development Standards		
Building Height		
R-1 Regulation	Existing	Proposed
25 ft.	17 ft. 8 in.	22 ft. 11 in.
Floor Area Ratio (FAR)		
	Existing	Proposed

Lot size	2,625 sq. ft.		2,625 sq. ft.
Maximum Floor Area Ratio	58% (Max 1,522 sq. ft.)		58% (Max 1,522 sq. ft.)
Garage Floor Area	255 sq. ft.		255 sq. ft.
First Story Floor Area	784 sq. ft.		784 sq. ft.
Second Story Floor Area	None		381 sq. ft.
Total FAR	40% (1,039 sq. ft.)		54% (1,420 sq. ft.)
Setbacks			
	R-1 regulation		Existing
			Proposed
Front Yard 1st Story	15 ft.		11 ft. 8 in. Existing nonconforming
Front Yard 2nd Story	20 ft.		N/A 20 ft.
Garage	20 ft.		17 ft. 9 in. Garage: 17 ft. 9 in. Existing nonconforming
Side Yard 1st Story	10% lot width	Lot width 47 ft. 1 in. 4 ft. 8 in min.	West: 5 ft. 9 in. East: 5 ft. 6 in. No change
Side Yard 2nd Story	15% of width	Lot width 47 ft. 1 in. 76 ft. 1 in. min	N/A West: 12 ft. 7 in. East: 7 ft. 10 in.
Rear Yard 1st Story	20% of parcel depth	Lot depth 55 ft. 11 ft. min.	2 ft. 3 in. Existing nonconforming
Rear Yard 2nd Story	20% of parcel depth	Lot depth 55 ft. 11 ft. min.	N/A 11 ft.
Parking			
Under 1,500 sq. ft.: 2 per unit	Required		Existing
	2 spaces total		2 space total
	1 covered		1 covered
	1 uncovered		1 uncovered
Underground Utilities: Required with 25% increase in area			Yes

Discussion: The existing residence at 203 Fanmar Way is a nonconforming, one-story residence. The existing nonconformities are the front and rear setbacks. The property is located in the multi-family zone of the Capitola Village neighborhood and is surrounded by a blend of one and two-story single-family homes; and several multi-family homes exist in the immediate area.

Nonconforming Structure: The existing single-story residence is located within both the required front and rear setback and is therefore a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure. The construction cost breakdown demonstrates that the alterations are 57.4 percent of the present fair market value of the structure, so the alterations are permissible (Attachment 3).

Parking: Pursuant to Zoning Code table 17.76-2, single family homes less than 1,500 square feet require two parking spaces. With the proposed addition the residence will be under 1,500 square feet. The property currently has one garage parking space and one uncovered parking space in the driveway and is compliant with this standard.

Landscaping: Pursuant to Municipal Code section 12.12.190C, the city's goal with new development projects is to have 15% tree canopy coverage (394 square feet). Existing canopy coverage is 86 square feet. The applicant is proposing one new tree with 20-foot canopy coverage at maturity (Condition 15).

Design Permit: The applicant is proposing a 381-square-foot, second-story bedroom, sitting room, bathroom, closet, and balcony addition. The proposed addition is located over the rear portion of the home. The existing single-story home exterior has horizontal wood lap siding, which will be retained to extent possible. The proposed design includes a new gabled roof with horizontal lap siding on the second story with a gabled dormer at the front elevation. Second-story windows along the rear elevation are small and raised, which limit privacy impacts to adjacent residential properties and allows natural light into the living space. The proposed single-family home satisfies all applicable design review criteria per Zoning Code section 17.120.070(A-S), included as Attachment 4.

Design Review Criteria: When considering design permit applications, the city shall evaluate applications to ensure that they satisfy all applicable design review criteria per Zoning Code section 17.120.070(A-S), comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply. Planning staff has prepared specific analysis for the following list of design review criteria that are more directly applicable to the proposed project.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contributes to Capitola's unique coastal village character and distinctive sense of place.

Staff Comment: As a neighborhood, the nearby developments display a blend of original architecture, historic buildings, and contemporary architecture. The proposed addition fits with the mix of architectural styles and maintains the home's farmhouse architecture.

- E. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimize privacy impacts on adjacent properties and provide adequate privacy for project occupants.

Staff Comment: The applicant has proposed privacy measures by not proposing windows on the upper floor side elevations and the rear windows have raised sill heights. The balcony is required to provide privacy screening, which is a condition of approval.

- G. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.

Staff Comment: The proposed second floor nestles into the attic of the existing residence and is balanced toward the rear of the home. The height of the existing roof ridge is nearly the

same height as the proposed upper floor plate and the overall building height increases by just over five feet.

M. Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.

Staff comment: During the Development and Design Review meeting, staff suggested adding a tree to the front yard landscaping that would provide a 20-foot canopy at maturity. Subsequently, condition of approval #15 was added to require installation of one new tree.

CEQA Determination: Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition 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 additions add 381 square feet of floor area, so this exemption applies. No adverse environmental impacts were discovered during project review by Planning Department Staff.

Design Permit 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 single-family home addition complies with the applicable development standards of the R-1 via RM-L 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 a single-family residence. The proposed single-family home addition will comply 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 15303(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition 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 additions add 381 square feet of floor area, so this exemption applies. 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.

The proposed single-family home additions 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 single-family home addition complies with all applicable design review criteria in Section 17.120.070.

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 single-family home addition. The farmhouse design maintains the character of the neighborhood, which has a majority and variety of traditional architectural styles and smaller

number of contemporary homes. The proposed project complies with all measurable development standards for the zone and is similar in scale to nearby developments on Capitola Avenue.

Conditions of Approval:

Planning Conditions

1. The project approval consists of construction of a new 1,460 square-foot single-family dwelling. The maximum Floor Area Ratio for the 2,625 square foot property is 58% (1,523 square feet). The total FAR of the project is 57% with a total of 1,460 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 March 7, 2024, 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. 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.
5. Prior to issuance of building permit, all Planning fees associated with permit #24-0025 shall be paid in full.
6. 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.
7. 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.
8. 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.
9. 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 17.156.080.
10. 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.

11. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
12. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
13. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that all outdoor lighting shall be shielded and directed downward such that the lighting is not directly visible from the public right-of-way or adjoining properties. Please show exterior lighting fixture locations and provide manufacturer specifications with the plans for Building Permit plan check.
14. The proposed second floor balcony shall provide privacy screening along the side elevation with plans for Building Permit plan check.
15. The applicant shall install one tree with a minimum 20 foot wide canopy at maturity on the property, prior to final inspection.

Public Works Conditions

16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. Applicant shall notify the Public Works Department 24 hours in advance of the commencement of work. A pre-construction inspection must be conducted by the grading official, or appointed staff to verify compliance with the approved erosion and sediment control plan. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction and shall be maintained throughout project duration.
18. 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.

Attachments:

1. 203 Fanmar Way – Plan Set
2. Design Permit Review Criteria
3. Nonconforming Construction Cost Estimate Calculation

Report Prepared By: Brian Froelich, Senior Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director