

Capitola Planning Commission

Agenda Report



Meeting: October 3, 2024
From: Community Development Department
Address: 510 Escalona Drive

Project Description: Application #24-0247. APN: 036-121-18. Design Permit and Accessory Dwelling Unit (ADU) Permit for the demolition of an existing residence and the construction of a new two-story, single-family residence and detached single-story ADU. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Recommended Action: Consider Application #24-0247 and approve the project based on the attached Conditions and Findings for Approval.

Property Owner: Neil Angelillo

Representative: Cheryl Haskell, Filed: 06/21/24

Background: On August 14, 2024, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: Commented that the loose rock proposed in front of the property should be replaced with a material that will not spread into the improved roadway and become an issue.

Building Official, Eric Martin: Advised the applicant to consider how the laundry area would be ventilated to the outside.

Associate Planner, Sean Sesanto: Supported the Public Works comment to select an alternative ground cover rather than the proposed pea gravel within and immediately adjacent to the public right of way. He also suggested the applicant verify the proposed sweet bay tree would not interfere with the proposed ADU. Mr. Sesanto noted the code required a privacy screen on the rear upper deck, but otherwise observed that windows and decks were designed to limit impacts to adjacent properties.

Following the Development and Design Review meeting, the applicant resubmitted plans replacing the pea gravel with permeable pavers, adding privacy screening to the rear deck, clarifying setbacks, and removing the outdoor kitchen improvements.

Development Standards: The following table outlines the zoning code requirements for development in the R-1 Zoning District.

Development Standards	
Building Height	
R-1 Regulation	Proposed
25 ft.	24 ft. 5 in.
Floor Area Ratio (FAR)	
	Proposed
Lot size	4,000 sq. ft.
Maximum Floor Area Ratio	54% (Max 2,160 sq. ft.)
First Story Floor Area	SFD: 1,266 sq. ft.

			ADU: 537 sq. ft.
Second Story Floor Area			SFD: 863 sq. ft. 100 sq. ft. deck area exempt
Total FAR			66.7% (2,669 sq. ft.) Effective with ADU guaranteed allowance: 54% (2,160 sq. ft.)
Setbacks			
	R-1 regulation		Proposed
Front Yard 1st Story	15 ft.		15 ft.
Front Yard 2nd Story & Garage	20 ft.		Primary: 20 ft. Garage: 20 ft.
Side Yard 1st Story	10% lot width	Lot width 40 ft. 4 ft. min.	West: 5 ft. East: 4 ft.
Side Yard 2nd Story	15% of width	Lot width 40 ft. 6 ft. min.	East: 6 ft. West: 6 ft.
Rear Yard 1st Story	20% of parcel depth	Lot depth 100 ft. 20 ft. min.	34 ft. 11 in.
Rear Yard 2nd Story			29 ft. 11 in.
Encroachments			
Attached Accessory Dwelling Unit			
	ADU Regulation		Proposed
Height	Detached ADU: 22 ft.		12 ft. 10 in.
Front	Same as Primary		78 ft. 6 in.
Side 1 st Story	4 ft.		East: 4 ft. West: 4 ft.
Rear 1 st Story			Rear: 4 ft.
Parking			
SFD: 2 spaces ADU: None required	Required		Proposed
	2 spaces total, 1 covered		2 spaces total, 1 covered
Underground Utilities: Required with 25% increase in area			Required

Discussion: The subject property is located within the Depot Hill neighborhood, surrounded by one- and two-story single-family residences. The site currently includes a 1920s era single-story cottage and a one-and-a-half story accessory structure. Neither structure has been identified as a historic resource.

Design Permit: The proposal demolishes an existing residence and constructs a new 2,129 square foot single-family residence and a new detached 537 square foot accessory dwelling unit. The primary dwelling and ADU are designed in matching style. Both units utilize horizontal fiber cement lap siding, low-pitch gable rooflines, and colonial pattern windows. The primary dwelling features brick veneer porch columns and standing metal seam roof accents.

The project includes an accessory dwelling unit subject only to limited standards and is eligible for the guaranteed allowance, allowing the project to exceed the maximum allowed floor area ratio equal to the size of the ADU or up to 800 square feet, whichever is less. The project exceeds the Floor Area Ratio by approximately 506 square feet, which is consistent with this standard.

Design Review Criteria: When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, 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. The complete list of Design Review Criteria is included as Attachment #2.

- F. 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.

The project has been designed in consideration of surrounding uses and minimizes privacy impacts. The rear upper-story deck includes privacy screening facing side property lines.

- Q. Lighting. Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.

All Outdoor lighting shall comply with all relevant standards pursuant to Capitola Municipal Code (CMC) 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.

Second-Story Decks: The project includes two small, upper-story decks on the front and rear of the new dwelling. Rear decks must include permanent privacy screening parallel to side property lines which face adjacent single-family dwellings, pursuant to §17.16.030(B)(11). Both comply with deck-specific setbacks. The rear deck has exposure to both adjacent properties; therefore, both sides require screening. The rear deck utilizes full-height louvered slats as a privacy screen.

Parking: The primary dwelling includes one garage space and one driveway space, which meets the parking requirement for the primary dwelling. Accessory dwelling units subject only to limited standards are not required to provide additional parking.

Trees: Pursuant to §12.12.190(C), applications for new construction and major remodels trigger a canopy coverage review. The project proposed three new trees, including a Mexican redbud, desert willow, and sweet bay. The proposed plantings secure the 15% canopy coverage requirements for new construction.

CEQA: §15303(a) of the CEQA Guidelines exempts a single-family residence and second dwelling unit in a residential zone. No adverse environmental impacts were discovered during review of the proposed project.

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 residence and detached accessory dwelling unit comply with the development standards of the R-1 (Single-Family Residential) zoning district. The project secures the purpose of the General Plan, and Local Coastal Program, and design policies and regulations adopted by the City Council.

- 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 the proposed residence and ADU. The project complies 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(a) of the CEQA Guidelines exempts a single-family residence, or a second dwelling unit and is subject to Section 753.5 of Title 14 of the California Code of Regulations. The project involves the demolition of an existing a single-family residence and construction of a new single-family residence and new accessory dwelling unit. The project is located within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.
- 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.**
Community Development Staff and the Planning Commission have reviewed the project. The proposed single-family residence and ADU 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 residence and ADU 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 new single-family residence detached accessory dwelling unit. The primary dwelling and ADU are designed in matching style with horizontal fiber cement lap siding, low-pitch gable rooflines, and colonial pattern windows. The primary dwelling features brick veneer porch columns and standing metal seam roof accents. The project balances a mix of contemporary and classic design elements which will maintain the overall character and scale of the neighborhood.

Limited Standards ADU Permit Findings:

- A. The ADU provides a minimum rear and side setback of four feet.**
The proposed ADU is four feet from rear and side property lines.
- B. The ADU does not exceed eight hundred square feet in size.**
The proposed ADU is 537 square feet.
- C. The ADU has a maximum height of sixteen feet.**
The proposed ADU does not exceed sixteen feet in height.

Coastal Development Permit Findings:

- A. The project is consistent with the LCP land use plan, and the LCP implementation program.**
The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.
- B. The project maintains or enhances public views.**
The proposed project is located on private property at 510 Escalona Drive. The project will not negatively impact public landmarks and/or public views.
- C. The project maintains or enhances vegetation, natural habitats and natural resources.**
The site is not located in an area with natural habitats or natural resources. The project will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves residential project will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves a residential project will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves a new single-family residence and detached accessory dwelling unit on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

Conditions of Approval:

1. The project approval includes the demolition of an existing residence and accessory structure and the construction of a 2,132 square-foot single-family residence and 537 square-foot, detached accessory dwelling unit. The maximum Floor Area Ratio for the 4,000 square foot property is 54% (2,160 square feet). The total FAR of the project is 66.7% with a total of 2,669 square feet. The project is subject to the guaranteed allowance for the 537 square-foot ADU. With the guaranteed allowance, the effective FAR is 54%, 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 October 3, 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. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. 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.
6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property

owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.

7. Prior to issuance of a Certificate of Occupancy, the applicant shall complete landscape work to reflect the approval of the Planning Commission. Specifically, required landscape areas, all required tree plantings, privacy mitigations, erosion controls, irrigation systems, and any other required measures shall be addressed to the satisfaction of the Community Development Director.
8. Prior to issuance of building permit, all Planning fees associated with permit #24-0247 shall be paid in full.
9. Prior to issuance of building permit, the developer shall pay Affordable housing impact fees as required to assure compliance with the City of Capitola Affordable Housing Impact Fee Ordinance.
10. 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.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. 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.
15. 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
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. 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.

18. 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.
19. 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.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. 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.
22. 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.
23. Prior to a Building Department final and/or issuance of a Certificate of Occupancy, final inspections by the Planning and Public Works Departments are required.
24. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The accessory dwelling unit shall not be sold separately from the primary dwelling; and
 - c. The deed restriction shall lapse upon removal of the accessory dwelling unit.

Attachments:

1. 510 Escalona Drive – Plan Set
2. Design Review Criteria

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Rosie Wyatt, Acting Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director