

City of Capitola Planning Commission Special Meeting Minutes

Thursday, April 21, 2022 – 5:00 PM

City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Peter Wilk

Commissioners: Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman



1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Wilk called the meeting to order at 7 P.M. Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk were present.

2. ORAL COMMUNICATIONS

None presented

A. Additions and Deletions to the Agenda

None presented

B. Public Comments

None presented.

C. Commission Comment

None presented

D. Staff Comments

None presented

3. PUBLIC HEARINGS

A. Ordinance Adding Chapter 17.82 to establish Objective Standards for Multifamily and Mixed-use Residential Developments

Permit Number: 22-0126

Location: All zones with multifamily and mixed-use residential, excluding the mixed use village

Draft ordinance to establish for new objective standards for multifamily and mixed-use residential development

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

Property Owner: Citywide

Representative: Ben Noble, Ben Noble Planning

Planning Consultant, Ben Noble presented the report and explained the standard will help protect the city and ensure quality developments. In early 2021, Council held a study session. The Planning Commission had a first review of the ordinance on March 31, 2022.

Recommendation: Review draft ordinance and consider forwarding a positive recommendation to the City Council to adopt the ordinance

Next step: Planning Commission recommendation with minor revisions; City Council hearing May 12, 2022

Public comments:

None presented

Commission deliberations and feedback:

Commissioner Routh requested clarifying the contradiction in item 17.82.070.B.1., concerning the length and width or if a building cannot be more than 50ft on the side. Ben Noble agreed that B.1 should be deleted. Commissioners Routh accepts the change

Commissioners Westman concurred.

Commissioners Newman stated he was ready to recommend the ordinance to City Council with the correction.

Chair Wilk felt some of the language seemed to specific and recommended edits for window options. Chair Wilk also questioned the height standards for refuse storage areas.

Commissioner Westman recommended replacing the fixed-height with the requirement that receptacles are screened from view. Commissioners agreed.

Commissioner Christiansen stated that there should be a degree of prescription as outlined.

Motion: recommend this to City Council with minor edits including the removal of 17.82.070.B.1, modifying height standards for refuse storage areas, and removing the term “must” as discussed.

RESULT: Approved [Majority]

Mover: Commissioner Newman

Second: Commissioner Routh.

Voting Yea: Commissioners Westman, Christiansen, Newman, Routh

Voting Nay: Chair Wilk

B. SB9 Ordinance

Project #: 22-0079

APN: Applicable to all parcels in Single-Family Zone

Project description: Amendments to the Capitola Municipal Code, Adding Section 17.75 SB9 Residential 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 SB9 Residential Developments.

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

Property Owner: Ordinance applies to all properties in the R-1 Zoning District

Representative: Katie Herlihy, Community Development Director

Planning Consultant Ben Noble presented the report. He explained that cities must allow urban lot splits with up to two dwelling units on each parcel. During the March 31, 2022, meeting, a majority of Planning Commission provided input as follows:

- Allow three stories on small lots to prioritize front yards.
- Require parking through shared access toward the back to the property.

Staff requested direction on boundary of parking exception and whether or not to require individual utility connections for two units on the same lot.

Recommendation: review the draft ordinance and consider forwarding a positive recommendation to the City Council to adopt the ordinance

Next step: Planning Commission recommendation with minor revisions; City Council hearing May 12, 2022. Planning Commission recommendation with major revisions continue hearing to May 5, 2022

Public comments:

None presented

Commission deliberation:

Commissioner Westman addressed the issue of height and roof with a preference for options with cars parked in front of units.

Commissioner Routh felt that thirty-foot tall buildings up to the sidewalk would ruin neighborhoods and supported front lot parking.

Commissioner Newman supported options with parking requirements, including options 1 and 2.

Chair Wilk preferred parking in the front yard rather than allowing a reduced front yard setback.

Commission feedback:

The Planning Commission accepted Planning Consultant Ben Noble's presentation and provided feedback. A majority of Commissioners provided the following recommended changes:

16.78.030 Reword to be more specific and include parking option 1 and 2 in the map.

16.78.030.H. Add Floor Area calculation exclusions in 17.48.040.(B)(6) do not apply to an SB9 residential development.

16.78.040.A.1 Require a title report showing the current ownership and all liens and encumbrances.

16.78.040.A.3.D allow the option for a civil engineer.

16.78.060.A. in the fourth sentence change "with" to "which".

17.75.040.G.2. Delete subsection.

Add 17.75.040.H specify that floor area exclusions in 17.48.040(B)(6) do not apply to an SB9 residential development.

17.75.050.7 reword and include parking options 1 and 2.

Request the split vote be shared with City Council.

Motion: Positive recommendation of ordinance to City Council, with the listed modifications deliberated on at tonight's meeting.

Mover: Vice Chair Westman

Second: Commissioner Newman.

Voting Yea: Commissioners Wilk, Westman, Christiansen, Newman

Voting Nay: Commissioner Routh

4. DIRECTOR'S REPORT

Director Herlihy reported that outdoor dining will be discussed at City Council meeting next week.

5. COMMISSION COMMUNICATIONS

Commissioner Christiansen reported that the Arts and Culture Commission is interested in outdoor dining events collaboration. Information on this has been given to Larry Laurent.

Chair Wilk reported on the Environmental Committee; they are interested in participating in environmental signage activities.

Commissioner Westman extended goodwill message to Commissioner Routh's wife on her new knee surgery.

6. ADJOURNMENT

The meeting was adjourned at 6:45PM to the next Regular Meeting of the Planning Commission on May 5, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission
