

Capitola Planning Commission

Agenda Report



Meeting: June 2, 2022

From: Community Development Department

Topic: 318 Park Avenue

Permit Number: #22-0107

APN: 036-094-13

Design Permit to remodel a detached garage to include a two-story Accessory Dwelling Unit 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 not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Bruce and Tami Corum

Representative: Bruce and Tami Corum, Filed: 03.25.22

Applicant Proposal:

The applicant is proposing first- and second-story additions to an existing 330 square-foot detached garage that would result in a larger garage and new second-story accessory dwelling unit (ADU) at 318 Park Avenue in the R-1 (Single-Family Residential) zoning district.

Background:

On May 11, 2022, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: noted that site stormwater must be kept onsite and not drain to neighboring properties.

Building Official, Robin Woodman: stated that the entry door must be hinged and cannot be a slider.

Associate Planner, Sean Sesanto: noted that the roof pitch must be at least 4:12 to meet design standards which may not be possible with a single-pitch roof. Mr. Sesanto also made comments on how to mitigate privacy impacts with respect to the windows and second-story deck.

Following the Development and Design Review meeting, the applicant resubmitted plans that incorporated privacy mitigations, new entry doorway, and a modified roof design that complied with the minimum pitch standard.

Development Standards:

The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District.

Lot Standards			
	Existing		Proposed
Lot Size	4,239 sq. ft.		4,239 sq. ft.
Max Floor Area Ratio	53% (Max 2,247 sq. ft.)		53% (Max 2,247 sq. ft.)
Primary Dwelling Unit	720 sq. ft.		720 sq. ft.
Detached Garage	330 sq. ft.		473 sq. ft.
<i>Accessory Dwelling Unit</i>	N/A		473 sq. ft.
TOTAL FAR	24.7% (1,050 sq. ft.)		39.3% (1,666 sq. ft.)
Parking			
	Required	Existing	Proposed
Residential (Up to 1,500 sq. ft.)	2 spaces total 0 covered 2 uncovered	3 spaces total 2 covered 1 uncovered	4 spaces total 2 covered 2 uncovered
Underground Utilities: required with 25% increase in area			No
Development Standards – Detached Garage			
	R-1 Regulation	Existing	Proposed
Floor Area	N/A	330 sq. ft.	473 sq. ft.
Maximum Height	15 feet	N/A	9 ft. 6 in.
Front Yard	40 ft.	84 ft. 11 in.	80 ft.
Side Yard	3 ft.	East: 2 ft. South: 19 ft. 11 in.	East: 4 ft. South: 14 ft.
Rear Yard	3 ft.	2 ft. 8 in.	4 ft.
Development Standards – Accessory Dwelling Unit			
	R-1 Regulation	Proposed	
ADU Size, Maximum	1,200 sq. ft.	473 sq. ft.	
Maximum Height	22 ft.	22 ft.	
Front Yard 1st Story	15 ft.	80 ft.	
Front Yard 2nd Story	20 ft.	ADU: 80 ft. Deck: 75 ft.	
Side Yard 1st Story	4 ft.	East: 4 ft. West: 14 ft.	
Side Yard 2nd Story	4 ft.	East: 4 ft. East (Deck): 4 ft. West: 14 ft. West (Deck): 10 ft. 9 in.	
Rear Yard 1st / 2nd Story	4 ft.	4 ft.	
Private Open Space, Minimum			
	Regulation	Proposed	
	48 sq. ft.	125 sq. ft. (2 nd Story Deck)	
Parking			
	Regulation	Proposed	
	1 onsite parking space	1 uncovered parking space in front of garage	

Discussion:

The existing residence at 318 Park Avenue is a 720 square-foot, one-story, single-family residence. The proposed remodel would expand the footprint of the existing garage with a second-story addition for the ADU. The property is located along Park Avenue between the Capitola Village and Cliffwood Heights, surrounded by one- and two-story single-family residences.

The proposed design utilizes vertical board siding with a 4:12 pitched roof. The first-story is a two-car garage which is accessed separately from the ADU. ADU access and private open space is provided by an exterior staircase and 125 square-foot second-story deck.

Parking

The proposed 473 square-foot ADU requires one onsite parking space. The project remodels the existing garage to provide two full-size covered parking spaces as well as two uncovered spaces along the existing driveway which satisfies parking requirements for both dwellings.

Objective Design Standards

Two-story ADUs are subject to the objective design standards in CMC §17.74.090. The objective design standards are included below with staff analysis.

- A. Entrance Orientation – Detached ADU. The primary entrance to a detached accessory dwelling unit shall face the front or interior of the parcel unless the accessory dwelling unit is directly accessible from an alley or a public street.

Staff Analysis: The primary entrance to the ADU faces the both the interior and front of the parcel.

- B. Privacy Impacts. To minimize privacy impacts on adjacent properties, the following requirements apply to walls with windows within eight feet of an interior side or rear property line abutting a residential use:

1. For a single-story wall or the first story of a two-story wall, privacy impacts shall be minimized by either:
 - a. A six-foot solid fence on the property line; or
 - b. Clerestory or opaque windows for all windows facing the adjacent property.
2. For a second-story wall, all windows facing the adjacent property shall be clerestory or opaque.

Staff Analysis: Windows near adjacent properties are clerestory or opaque.

- C. Second-Story Decks and Balconies. Second-story decks and balconies shall be located and designed to minimize privacy impacts on adjacent residential properties, as determined by the Planning Commission through the design permit approval process.

Staff Analysis: The proposed deck includes screening along the eastern edge facing the nearest property.

- D. Architectural Details. –only architectural detail requirement in Table 17.74-2 that applies to detached ADUs is the requirement that the roof pitch be 4:12.

Staff Analysis: The proposed ADU utilizes a 4:12 roof pitch.

- E. Building Additions to Historic Structures.

Staff Analysis: Not applicable.

CEQA:

Section 15303(a) of the CEQA Guidelines exempts one single-family residence, or a second dwelling unit in a residential zone. The project involves the construction of a second dwelling unit in a residential zoning district. No adverse environmental impacts were discovered during review of the proposed project.

Recommendation:

Staff recommends the Planning Commission **approve** application #22-0107 with the following Conditions and Findings for Approval.

Attachments:

1. Plan Set
2. Survey

Conditions of Approval:

1. The project approval consists of the remodel of an existing detached garage to expand the garage area and include a 473 square-foot second-story accessory dwelling unit (ADU) above. The project is in compliance with the development standards in CMC Chapter 17.74. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 2, 2022, 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 the 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 the 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, all Planning fees associated with permit #22-0107 shall be paid in full.
7. 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.
8. 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.

9. 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).
10. Site runoff shall not drain onto the adjacent parcels.
11. 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.
12. 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.
13. 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
14. 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.
15. 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.
16. 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.
17. 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.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
19. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that outdoor lighting be shielded and directed downward.

20. 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.

Accessory Dwelling Unit Design Permit Findings:

- A. The exterior design of the accessory dwelling unit is compatible with the primary dwelling on the parcel through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.**

The proposed ADU utilizes a combination vertical board siding with colors similar to the primary dwelling and a 4:12 roof pitch. The exterior design is compatible with the primary dwelling on the parcel.

- B. The exterior design is in harmony with, and maintains the scale of, the neighborhood.**

The proposed ADU utilizes materials and a two-story building form common within the neighborhood. Also, the ADU complies with the 22-foot maximum ADU height limit and is well within the zone height limit of 25. Therefore, the exterior design is in harmony with, and maintains the scale of the neighborhood.

- C. The accessory dwelling unit will not create excessive noise, traffic, or parking congestion.**

The proposed project is a single-bedroom ADU on a site that is adequately parked. The ADU will not create excessive noise, traffic, or parking congestion.

- D. The accessory dwelling unit has or will have access to adequate water and sewer service as determined by the applicable service provider.**

The proposed ADU is located on a developed lot in a residential neighborhood with adequate water and sewer service.

- E. Adequate open space and landscaping have been provided that are usable for both the accessory dwelling unit and the primary residence. Open space and landscaping provide for privacy and screening of adjacent properties.**

The proposed project provides adequate open space for the accessory dwelling unit and the primary residence. The second-story deck serves as both access and dedicated private open space for the ADU. The deck includes privacy screening towards the nearest property to the east.

- F. The location and design of the accessory dwelling unit maintain a compatible relationship to adjacent properties and do not significantly impact the privacy, light, air, solar access, or parking of adjacent properties.**

The proposed ADU is located in the rear of the property. Potential impacts to privacy, light, air, solar access, and parking have been considered and mitigated. The location and design of the ADU maintains a compatible relationship with adjacent properties.

- G. The accessory dwelling unit generally limits the major access stairs, decks, entry doors, and major windows to the walls facing the primary residence, or to the alley if applicable. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory dwelling unit complements the**

design of the primary residence and does not visually dominate it or the surrounding properties.

The external staircase to the proposed second-story ADU faces the interior of the lot and the primary residence. Windows facing adjacent properties are either clerestory or opaque. The design of the ADU, with siding materials similar to the primary residence and similar roof pitch, complements the design of the primary residence and does not visually dominate it or the surrounding properties.

- H. The site plan is consistent with physical development policies of the general plan, any area plan or specific plan, or other city policy for physical development. If located in the coastal zone, the site plan is consistent with policies of the local coastal plan. If located in the coastal zone and subject to a coastal development permit, the proposed development will not have adverse impacts on coastal resources.**

The location of the proposed ADU complies with the development standards in CMC §17.74.080. The project is within the coastal zone and complies with the local coastal plan.

- I. The project would not impair public views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan restores and enhances the visual quality of visually degraded areas.**

The project does not impair public views of the ocean or scenic coastal areas.

- J. The project deviation (if applicable) is necessary due to special circumstances applicable to subject property, including size, shape, topography, location, existing structures, or surroundings, and the strict application of this chapter would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.**

Not applicable. The project does not include deviations.

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 318 Park Avenue. 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 proposed project is located at 318 Park Avenue. The proposed accessory dwelling unit (ADU) 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 an ADU and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves an ADU and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves an ADU and 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 an ADU 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.

Prepared by: Sean Sesanto