

# Capitola Planning Commission

## Agenda Report



**Meeting:** November 3, 2022

**From:** Community Development Department

**Topic:** 602 El Salto Drive

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**Permit Number: #22-0215**

**APN: 036-142-03**

Design Permit to demolish an existing residence and construct a new two-story, single-family residence and detached garage, 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

Property Owner: Bruce Kelly

Representative: Dennis Norton, Filed: 05.23.22

### **Applicant Proposal:**

The applicant is proposing to demolish an existing single-family residence and construct a 3,734 square foot single-family residence and 550 square foot detached garage. The property is located at 602 El Salto Drive in the R-1 (Single-Family Residential) zoning district.

### **Background:**

On September 14, 2022, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: provided written comment that a minor revocable encroachment permit would be required for landscape improvements within the right-of-way.

Building Official, Robin Woodman: informed the applicant a pool demolition plan and soils report will be required with the building submittal and noted that outdoor shower drainage must be shown on Building Permit plans.

Associate Planner, Sean Sesanto: noted that clarification was needed on the site and landscape plans with respect to proposed tree removals and replacements. He informed the applicant that the hot tub and utility closet cannot be located within the front or exterior side yard as proposed.

Following the Development and Design Review meeting, the applicant resubmitted plans that clarified the existing and proposed trees and removed the utility closet and hot tub encroachments.

**Development Standards:**

The following table outlines the zoning code requirements for development in the R-1 Zoning District. The project complies with all applicable zoning requirements.

<b>Development Standards</b>			
<b>Building Height</b>			
<b>R-1 Regulation</b>	<b>Existing</b>		<b>Proposed</b>
25 ft.	Proposed for demolition		24 ft. 11 in.
<b>Floor Area Ratio (FAR)</b>			
	<b>Existing</b>		<b>Proposed</b>
<b>Lot size</b>	9,108 sq. ft.		9,108 sq. ft.
<b>Maximum Floor Area Ratio</b>	48% (Max 4,372 sq. ft.)		48% (Max 4,372 sq. ft.)
First Story Floor Area	Proposed for demolition		2,311 sq. ft.
Second Story Floor Area			1,423 sq. ft.
Detached Garage			550 sq. ft.
<b>Total FAR</b>			47% (4,284 sq. ft.)
<b>Setbacks</b>			
	<b>R-1 regulation</b>		<b>Proposed</b>
<b>Front Yard 1<sup>st</sup> Story</b>	15 ft.		22 ft. 3 in.
<b>Front Yard 2<sup>nd</sup> Story</b>	20 ft.		35 ft.
<b>Interior Side Yard 1<sup>st</sup> Story</b>	10% lot width	Lot width 75 ft. 2 in. 7 ft. min.	Residence: 8 ft. <b>Utility space: 5 ft. 8 in.</b>
<b>Interior Side Yard 2<sup>nd</sup> Story</b>	15% of width	Lot width 75 ft. 2 in. 10 ft. min	11 ft. 6 in.
<b>Exterior Side Yard 1<sup>st</sup> and 2<sup>nd</sup> Story</b>	10 ft.		First Story: 20 ft. Second Story: 20 ft.
<b>Rear Yard 1<sup>st</sup> Story</b>	10% of adjacent parcel width	Lot width 64 ft. 9 in. 6 ft. 5 in. min.	35 ft. 4 in.
<b>Rear Yard 2<sup>nd</sup> Story</b>			38 ft. 4 in.
<b>Encroachments</b>	None		
<b>Detached Garage</b>			
	<b>R-1 Regulation</b>		<b>Proposed</b>
Maximum Height	15 ft.		12 ft. 9 in.
Front (El Salto Drive)	40 ft.		90 ft.
Interior Side	3 ft.		26 ft.
Exterior Side	10 ft.		24 ft.
Rear	3 ft.		7 ft. 1 in.
<b>Parking</b>			
Residential (2,601 sq. ft. or more)	<b>Required</b>		<b>Proposed</b>
	4 spaces total 1 covered		4 spaces total 2 covered 2 uncovered
<b>Underground Utilities: Required with 25% increase in area</b>			<b>Yes</b>

**Discussion:**

The existing property is on the corner of El Salto Drive and Sacramento Avenue within the Depot Hill neighborhood, surrounded by one- and two-story single-family residences. The lot consists of a single-family residence which is proposed for demolition. The existing residence was constructed around 1986 and is not listed as a historic structure.

**Design Permit**

The applicant is proposing to construct a new two-story, single-family residence. On a corner lot, the narrowest street frontage is considered the front parcel line; therefore, the front yard is along El Salto Drive. The parcel has historically had driveway access off of Sacramento Avenue, and the current application keeps the same orientation with the main entrance and driveway along Sacramento Avenue. On the El Salto frontage, the new home is proposed with a covered patio and a pathway connecting to the street. The design includes numerous features of a craftsman-style, such as sweeping porches with large columns, exposed rafters and beams, and a mixture of wooden horizontal board and shingle sidings. The roofline features a central hipped roof with secondary gables with standing metal seam. The detached garage similarly features horizontal board siding and a single gabled roof with standing metal seam.

**Parking**

The proposed residence exceeds 2,600 square feet and therefore must provide four on-site parking spaces, one of which must be covered. The proposal includes four full-size parking spaces: two in the driveway and two in the detached garage.

**Tree Removals**

The existing landscape includes sixteen trees including one fruit tree. The project would retain four trees and remove twelve. The applicant is proposing to plant three Japanese maples and three ornamental olive trees; however, the proposed trees are beyond the property line. Pursuant to CMC §12.12.190(C), the project must propose plantings that will secure the goal of a fifteen percent canopy coverage. New plantings must be on the subject property to be counted towards the calculation. Condition #8 requires three of the proposed replacement trees be located on the subject property.

**CEQA:**

§15303(a) of the CEQA Guidelines exempts one single family residence in a residential zone. No adverse environmental impacts were discovered during review of the proposed project.

**Recommendation:**

Staff recommends the Planning Commission **approve** application #22-0215 with the following Conditions and Findings for Approval.

**Attachments:**

1. 602 El Salto Drive – Plan Set
2. Design Permit Review Criteria

**Conditions of Approval:**

1. The project approval consists of the demolition of an existing residence and the construction of a 3,724 square-foot single-family residence and 550 square-foot detached garage. The maximum Floor Area Ratio for the 9,108 square foot property is 48% (4,372 square feet). The total FAR of the project is 47% with a total of 4,284 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 November 3, 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 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 a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 12 trees to be removed from the property. The three replacement trees proposed within the Sacramento Avenue public right-of-way shall be located on the subject property (602 El Salto Drive) in addition to any trees planted on the adjacent parcel. Alteration to the tree planting plan shall be consistent with CMC §12.12.190 and be approved by the Community Development Department.
9. Prior to issuance of building permit, all Planning fees associated with permit #22-0215 shall be paid in full.

10. 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.
11. 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.
12. Prior to issuance of a building permit, the applicant shall submit a Minor Revocable Encroachment Permit for the landscaping in the right-of-way. The revocable encroachment agreement shall be completed prior to project final.
13. 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.
14. 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).
15. 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.
16. 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.
17. 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
18. 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.
19. 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.

20. 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.
21. 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.
22. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
23. 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.
24. At time of submittal for building permit review, landscape plan(s) shall be revised such that the hot tub is not located within the front yard (El Salto Drive) or the exterior side yard (Sacramento Avenue), which includes the area between the minimum required setback(s) and the nearest line of the primary structure.
25. 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.

**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 complies with the development standards of the R-1 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 a new single-family residence. As conditioned 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 one single-family residence and is subject to Section 753.5 of Title 14 of the California Code of Regulations. This project involves a single-family residence within the Single-Family Residential (R-1) 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 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 residence 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 reviewed the application for the single-family residence. The design of the home with sweeping porches, standing metal seam roof, and shingle and horizontal board siding will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

**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 602 El Salto 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 proposed project is located at 602 El Salto Drive. The home 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 a replacement single-family residence and will not negatively impact low-cost public recreational access.

**E. The project maintains or enhances opportunities for visitors.**

The project involves a replacement single-family residence and will not negatively impact visitor serving opportunities.

**F. The project maintains or enhances coastal resources.**

The project involves a replacement single-family residence 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 a replacement single-family residence 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.