

**CITY OF CAPITOLA HOUSING ELEMENT IMPLEMENTATION  
PROPOSED ZONING CODE AMENDMENTS**

**HOUSING ELEMENT IMPLEMENTATION**

<b>Topic (Housing Element Program)</b>	<b>Planning Commission Direction</b>	<b>Amendment Location</b>	<b>Amendment Description</b>
Affordable Housing Overlay (1.1)	Reviewed 7/23/24 – No changes directed.	Table 17.12-2; 17.36.080.H.1; 17.40.020	Removes the Affordable Housing Overlay from the City’s Zoning Ordinance and Zoning Map
Missing Middle Housing (1.1)	2/15/24: Modify RM development standards to allow missing middle housing projects.	17.16.020.C	Creates new MF subzones with increased allowed density, increased maximum building coverage, increase allowed height, and reduced rear setbacks to allow missing middle housing types.
Corner Duplexes (1.6)	2/15/24: Allow duplex on all corner lots subject to same development standards as a single-family home.	Table 17.16-1	Duplex homes allowed on corner parcels in the R-1 zone.
Lot Consolidation (1.1)	2/15/24: Develop incentives to encourage lot consolidation as proposed by staff	17.20.040.K; 17.24.030.J:	Increases height and FAR for housing development projects that consolidate adjacent housing element opportunity sites
Replacement Housing (1.2)	7/23/24: Clarify 17.96.210(C)(1)(d) regarding application submittal requirements.	17.96.210	New section requiring replacement of affordable units on nonvacant sites pursuant to AB 1397.
Expand Incentivized Zone (1.4)	No prior direction.	Not yet drafted	Not yet drafted
Mall Redevelopment - Incentivized Zone (1.7)	2/1/24: Increase maximum height to 75 feet, remove parking garages from FAR calculation, add objective standards to step massing along the street frontage, and require garages are incorporate into the architecture (wrapped)	Not yet drafted.	Not yet drafted.
Alternative Housing Types (1.5)	2/15/24: SROs: Maybe promote if we can count towards RHNA; Live/Work: not priority in Capitola; Micro units: Promote close to transit center; Co-housing: check this box if will please HCD; Workforce: add as community benefit	Table 17.16-1; Table 17.76-2; 17.88; 17.160.020.C; 160.020.M	Adds definition of micro-unit, allows increased height and FARs for micro-units, allows 0.5 parking spaces per unit for micro units; Defines cohousing and lists as allowed use in R-1, RM, and MH zones; Adds teacher housing as an available community benefit

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Parking – Multifamily (1.6)	2/15/24: 0.5 per unit <350 sf close to transit 1.0 per unit <500 sf 1.5 per unit 500-750 sf 2.0 per unit ≥750 sf No covered or additional guest parking	Table 17.76-2	Reduces parking require for multifamily dwelling based on unit size
RM Density and Development Standards (1.6)	5/2/24; 6/3/24: Prepare zoning map amendment with increased RM density and supporting development standards as proposed by staff. Further PC and public review needed.	17.16.020.C	Creates new MF subzones with increased allowed density, increased maximum building coverage, increase allowed height, and reduced rear setbacks to allow missing middle housing types.
Parking – Senior and Special Needs (1.6)	2/15/24: Revise required parking spaces for senior and special needs housing uses as proposed by staff. Consider needed guest parking	Table 17.76-2	Reduces parking required for group housing, residential care facilities, transitional housing, and senior housing
Housing on Education and Religious Sites (1.8)	5/2/24: Create site specific standards for affordable housing projects on land owned by religious institutions as allowed under SB 4	17.96.220	Allows affordable housing projects on land owned by religious institutions consistent Government Code Section 65913.16
Density Bonus (2.5, 3.6)	No prior direction.	Not yet drafted	Not yet drafted
Emergency Shelters (3.1)	Reviewed 7/23/24 – No changes directed.	Table 17.24-1; 17.96.030; 17.160.020.E.3:	Adds emergency shelter is “P” use in the C-C zone; Revises standards to comply with Government Code Section 65583(a)(4)(B); Adds statement that emergency shelters may include other services such as navigation centers and bridge housing.
Low Barrier Navigation Centers (3.1)	Reviewed 7/23/24 – No changes directed.	17.96.200	Adds statement that low barrier navigation centers are allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Transitional Housing (3.2)	Reviewed 7/23/24 – No changes directed.	Table 17.16-1, 17.20-2; Table 17.24-1; 17.160.020.T.5:	Maintains transitional housing in definition of Residential Care Facilities; Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Adds definition of transitional housing in glossary

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Supportive Housing (3.2)	Reviewed 7/23/24 – No changes directed.	17.96.070	Adds statement that supportive housing is allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Employee Housing (3.3)	Reviewed 7/23/24 – No changes directed.	17.160.020.S.5	Adds statement that definition of single-family dwelling includes employee housing for six or fewer persons.
Large Residential Care Facilities (3.4)	Reviewed 7/23/24 – No changes directed.	Table 17.16-1, 17.20-2; 17.20.020.F; Table 17.24-1; 17.96.080	Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Removes Large Residential Care Facility standards
Reasonable Accommodations (3.4)	Reviewed 7/23/24 – No changes directed.	17.140.070	Revises criteria for reasonable accommodations.
Daycares (3.6)	Reviewed 7/23/24 – No changes directed.	Table 17.25-1	Changes day care centers from a “C” to an “M” use

### Additional Zoning Code Cleanup Amendments

Topic	Planning Commission Direction	Amendment Location	Amendment Description
Design Review Process; Architecture and Site Review Committee	2/1/24; 5/2/24, 7/23/24: Re-establish the former design review process (Architecture and Site Review Committee). Clarify which Design Permit projects require Committee review and when a third-party design consultant is required. Require public notice of pending application. Clarify Committee role remains advisory and should not trigger public hearing requirements.	17.120	Adds public notice of application submitted for design permit applications reviewed by Planning Commission, adds City-contracted design professional involvement in Development and Design Review Committee meeting with applicant for more significant projects, removed design criteria with existing objective standards.
MU-V, MU-N Driveways/Curb Cuts	Reviewed 7/23/24 – No changes directed.	17.20.030.F; 17.20.040.F; 17.76.040.C.3.c	Allows exception to driveway and curb cut standards in MU-V and MU-N to allow for one parking space of up to 14 feet in width. Adds cross reference in 17.76.040 to Section 17.20.030.E.6 (Driveways and Curb Cuts)
Opaque windows on second stories	2/1/24: Clarify that opaque windows may be required on case-by-case basis (not always mandatory)	17.16.B.11.d	Opaque windows may be required by the Planning Commission on case-by-case basis, but are not always required

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Location of Retail Cannabis Establishments	7/23/24: Allow retail cannabis in C-C fronting 41 <sup>st</sup> Avenue	Table 17.24-1; 17.24.020(D)	Allow retail cannabis in C-C fronting 41 <sup>st</sup> Avenue
First floor offices in the C-R Zone	No prior direction – review of draft amendments requested 8/15/24	17.24.020.C	Expands allowed location for ground floor office uses in the C-R zoning district
CDP Waiver or Exclusion for J/ADUs	Reviewed 7/23/24 – No changes directed.	17.44.090.C and 17.74	17.44.090.C: Allows for waiver of CDP in non-appealable areas for ADUs 17.74.030.E.2: Allow waiver of CDP for ADUs that meet criteria
Flatwork/Hardscape	7/23/24: Do not create zoning permit for flatwork	-	-
Upper Floor Decks	2/1/24: Clarify 150 square feet is cumulative of all decks for FAR calculation. Allow deck on the second story at 15 feet setback instead of 20 feet. The privacy wall on upper story decks should be on a case-to-case basis changing “shall” to “may” be required by PC. Add examples of privacy screens to include opaque materials and vegetation.	17.16.030.B.11; 17.48.040.B.6	Amendments consistent with PC direction
Accessory Dwelling Units: State Law Conformance	Reviewed 7/23/24 – No changes directed.	17.74	Updates state law references, adds that front setback deviation permitted for 800 sq. ft. ADU; Clarifies that exceptions to standards to allow for 800 sq. ft. ADU may only be minimum necessary; Updates allowed height consistent with state law.
Parking for new SFDs	2/15/24, 7/23/24: Remove the covered parking space (1) for single-family dwelling units larger than 1,500 square feet. Limit required parking to 2 spaces.	17.76	Require no more than two parking spaces per single-family dwelling and remove requirement for covered parking, regardless of dwelling size.
Parking for SFD Remodels	Reviewed 7/23/24 – No changes directed.	Table. 17.76-2	As required by state law, adds note that additional parking is not required for additions and remodels to single-family homes that conform with building size standards.
Signs	Reviewed 7/23/24 – No changes directed.	Table 17.80-6	Reduces allow wall sign area in MU-N to match total sign area allowed in MU-N (Table 17.80-1)
Consistent Terminology - CDD	Reviewed 7/23/24 – No changes directed.	17.84.080.C	Replaces “CDD” with “community development director” for code consistency.
Historic Alteration Permits	Reviewed 7/23/24 – No changes directed.	17.84.070.C.2	Fixes numbering error.
Historic Preservation Incentives	Reviewed 7/23/24 – No changes directed.	17.84.090.D	Permit review authority approves permit fee reimbursement when acting on permit application.

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Permit Time Limits and Extensions	Reviewed 7/23/24 – No changes directed.	17.56.080; 17.156.080.A	Allows the Planning Commission or City Council to establish an alternative permit expiration date when initially approving the permit. Allows the Planning Commission or City Council to approve two four-year extensions (eight years total) to permits.
Home Occupations	Reviewed 7/23/24 – No changes directed.	17.96.040.A	Allows home occupations that comply with standards by right without an administrative permit.
Wireless Communication Facilities	Reviewed 7/23/24 – No changes directed.	17.104	Update Federal CFR references throughout chapter.
Referral of Applications to Planning Commission	Reviewed 7/23/24 – No changes directed.	17.112.090	New section stating the community development may refer any discretionary decision to the Planning Commission.
Good Standing for Permit Review	No prior direction – review of draft amendments requested 8/15/24	17.112.020.C.3	Adds that City will not accept application for a property with an active code enforcement action unless correction of violation is included as part of the proposed project.
Glossary - Clerestory Window	Reviewed 7/23/24 – No changes directed.	17.160.020.C	Adds definition of clerestory window.
Definition – Takeout Food and Beverage	Reviewed 7/23/24 – No changes directed.	17.160.020.E	Excludes bars and lounges from definition of takeout food and beverage establishments.
Roof Decks	Reviewed 7/23/24 – No changes directed.	17.160.020.R.9	Clarifies that roof deck is the occupied roof space located above the top story of a structure.
R-1 Garage Setback	Reviewed 7/23/24 – No changes directed.	17.16.030.B.4	Removes minimum garage set back of 5 feet from front building wall. Minimum 20-foot garage setback from front property line in Table 17.16-2 remains.