

Capitola Planning Commission

Agenda Report



Meeting: March 5, 2026

From: Community & Economic Development Department

Address: 3890 Reposa Avenue

Project Description: Application #25-0567. APN: 034-162-03. Design Permit for the construction of an attached two-story Accessory Dwelling Unit (ADU) located within the R-1 (Single-Family Residential) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption

Recommended Action: Consider application #25-0567 and **approve** the project based on the Findings and Conditions of Approval.

Property Owner: Brian & Phoebe Kelly
Representative: Dennis Norton, Filed: 12/1/25

Background: On January 14, 2026, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representatives, Erika Senyk: Discussed permeable paver requirements and input on the subsequent building submittal.

Building Official, Linh Tran: Informed the applicant that a soil report will be required with the building permit application and noted minimum required doorway clearances.

Associate Planner, Sean Sesanto: Discussed review comments related to the upper-story deck setbacks, building height, and changes to the garage and site parking arrangement. Staff also suggested modifications to the landscape plan to either plant a single coast oak in the front yard or selecting two smaller variety trees based on available growing area.

Following the development and design review meeting, the applicant submitted revised plans with corrections to the upper-story deck, building height, and parking, as well as taking staff recommendation to plant one coast oak in the front yard.

Development Standards: The following table outlines the zoning code requirements for ADUs and structures in the R-1 zoning district.

Development Standards			
Building Height			
R-1 Regulation	Existing		Proposed
25 ft.	14 ft. 8 in.		Primary: 15 ft. ADU: 25 ft.
Floor Area Ratio (FAR)			
	Existing		Proposed
Lot size	5,349 sq. ft.		5,349 sq. ft.
Maximum Floor Area Ratio	49% (Max 2,621 sq. ft.)		49% (Max 2,621 sq. ft.)
First Story Floor Area	1,782 sq. ft.		Primary: 1,718 sq. ft.
Second Story Floor Area	N/A		ADU: 800 sq. ft. <i>138 sq. ft. (deck exemption)</i>
Total FAR	33.3% (1,782 sq. ft.)		47.1% (2,518 sq. ft.)
Setbacks			
	R-1 regulation	Existing	Proposed
Front Yard 1st Story	15 ft.	19 ft. 9 in.	19 ft. 9 in.
Front Yard Garage	20 ft.	19 ft. 9 in.	Garage: 19 ft. 9 in. Existing nonconforming
Side Yard 1st Story	5 ft. 9 in. min.	East: 4 ft. 1 in. West: 4 ft.	East: 4 ft. 1 in. West: 4 ft. Existing nonconforming
Rear Yard 1st Story	18 ft. 7 in. min.	21 ft. 2 in.	21 ft. 2 in.
Development Standards – Attached Accessory Dwelling Units			
	ADU Regulation		Proposed
Height	Same as Primary		25 ft.
ADU Setbacks			
	ADU Regulation		Proposed
Front Yard 2nd Story	Same as Primary		40 ft. 8 in.
Side Yard 2nd Story	4 ft.		East: 11 ft. 9 in. West: 15 ft.
Rear Yard 2nd Story	4 ft.		21 ft. 2 in.
Private Open Space, Minimum			
Regulation	Proposed		
48 sq. ft.	96 square foot deck		
Parking			
SFD – Two Spaces ADU – One Space	Required	Existing	Proposed
	2 spaces total	4+ spaces 2 covered	4 spaces 1 covered
Underground Utilities: Required with 25% increase in area			No

Discussion: The site is located in a small single-family neighborhood between 38th and 41st Avenues. Blue and Gold Star Mobile Home Park is located to the west off of 38th Avenue. The proposal includes modifying an existing single-story residence to include a 788 square foot ADU above the primary dwelling. The building footprint area is unchanged, except to reduce a portion of the primary dwelling floor area to accommodate an unenclosed staircase between the primary dwelling and attached garage.

ADU Design Permit: The proposed remodel and new ADU includes numerous alterations to the existing design, including removal of the existing chimney, replacement of existing stucco cladding with vertical fiber cement board and batten siding, and upgrading the composition shingle roof to standing metal seam. The upper-story ADU will be finished with horizontal fiber cement board siding. The structure will have a variation of hipped and open-gabled rooflines. The resulting design has a cohesive appearance between the primary dwelling and ADU.

ADU Objective Design Standards: Two-story ADUs are subject to the objective design standards in CMC §17.74.090. The objective design standards are included in underline below and followed by 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 attached ADU stairway is accessed from the side with a front-facing entrance.
- 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: ADU walls are located more than 8 feet from the rear and side property lines; therefore, window treatments are not required.

- 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 ADU includes a second-story deck. The deck complies with applicable development standards, including orientation towards the rear of the lot, a rear setback of 25% of the parcel depth (23-feet, 1-inch) and side setbacks of at least 10 feet. The Planning Commission may additionally require permanent screening elements along one or both sides of the deck if privacy is a concern.

- D. Architectural Details. – Applicable architectural detail requirements in Table 17.74-2 include
1. Primary exterior materials must be the same as primary dwelling however it does not apply to secondary and accent materials.
Staff Analysis: The existing exterior material is stucco cladding which will be replaced with vertical fiber cement board and batten siding. The upper-story ADU will be finished with horizontal fiber cement board siding, which typically is applied as a primary material in conjunction with fiber cement board and batten siding to create a craftsman look. The intent of this standard is met.
 2. Roof materials match the primary dwelling.
Staff Analysis: A new standing metal seam roofing is proposed for entire structure.

E. Building Additions to Historic Structures.

Staff Analysis: The proposed ADU is not located on a site with historic resources.

Landscaping and Tree Removals: The applicant proposes one new coast live oak trees in the front yard, in addition to maintaining the existing tree in the backyard.

CEQA: §15303(a) of the CEQA Guidelines exempts a single-family residence or second dwelling unit in a residential zone. The project includes the remodel of an existing dwelling and the construction of an attached second dwelling unit (ADU).

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 project complies with the objective design requirements for ADUs, including standards for attached ADUs.

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

The proposed ADU has similar materials to the primary dwelling and a two-story building form common within the neighborhood. The project complies with the 25-foot maximum height limit for attached ADUs. 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 two-bedroom attached ADU on a site with existing parking for the primary dwelling which are permitted uses. The project will maintain parking capacity in excess of the three required spaces for a single-family residence and full-standards ADU. Therefore, 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. A second-story deck serves as both access and dedicated private open space for the ADU. The deck is setback at least ten feet from both side property lines.

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 on top of the existing residence with massing comparable to a typical second-story addition and complies with applicable development standards. Therefore, the ADU maintains 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 is integrated into the structure between the existing residence and the attached garage, such that the entry provides limited visual presence to the surrounding properties and mutual privacy.

- 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 proposed ADU is sited within the footprint of an existing structure and is consistent with applicable development policies of the general plan and development standards in CMC §17.74.080. The project is within the coastal zone but does not require a Coastal Development Permit.

- 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.

California Environmental Quality Act (CEQA) Finding:

- A. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15303(a) of the CEQA Guidelines exempts new construction or conversion of existing structures for a single-family residence or second dwelling and is subject to Section 753.5 of Title 14 of the California Code of Regulations. This project involves remodel of a single-family residence and addition of an attached ADU within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

Conditions of Approval:

1. The project approval consists of construction of a 788 square-foot attached, upper-story accessory dwelling unit (ADU) and remodel of the existing single-family residence. The maximum Floor Area Ratio (FAR) for the 5,349 square foot property is 59% (2,621 square feet). The total FAR of the project is 40.6% with a total of 2,506 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 March 5, 2026, 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 #25-0567 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, City of Santa Cruz 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. Site runoff shall not drain onto adjacent parcels or over sidewalks.
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 unless exercised. 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. 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.
22. 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.
23. Accessory Dwelling Units shall not be used for vacation rentals (terms of less than 30 days) as defined in Chapter 17.160 (Glossary).

Attachments:

1. 3890 Reposa Avenue – Plan Set

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Rosie Wyatt, Deputy City Clerk

Approved By: Katie Herlihy, Community and Economic Development Director