

City of Capitola Special Planning Commission Meeting Minutes



Thursday, August 08, 2024 – 5:00 PM

City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Chairperson: Courtney Christiansen

Commissioners: Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

1. Roll Call and Pledge of Allegiance

Commissioners Courtney Christiansen, Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

The meeting was called to order at 5:03 PM. In attendance, Commissioners Westman, Wilk, and Chair Christiansen. Commissioner Jensen arrived at 5:08 PM and was in attendance for the remainder of the meeting. Commissioner Estey was absent.

2. Additions and Deletions to the Agenda

None.

3. Oral Communications

Goran Klepic.

4. Planning Commission/Staff Comments

Director Herlihy reminded the Commission and staff to speak clearly into the microphones throughout the meeting.

5. Consent Calendar

Motion to approve the approve the item on the Consent Calendar: Commissioner Wilk

Seconded: Commissioner Westman

Voting Yea: 4-0

Absent: Commissioner Estey

A. 1760 48th Avenue

Project Description: Permit #23-0497 Design Permit and Coastal Development Permit for the demolition of an existing residence and construction of a new single-story residence with an attached garage located within the R-1 (Single-Family Residential) zoning district.

The project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

Recommended Action: Staff recommends the Planning Commission approve application #23-0497 based on the following Conditions and Findings of Approval.

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, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence is consistent with the general plan and the local coastal program.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence complies with all measurable development standards of the R-1 (Single-Family Residential) zoning district.

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

Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves demolition and reconstruction of a single family residence and typical accessory structures. 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, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new 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).**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence complies with the applicable design review criteria as described in the staff report and through conditions of approval.

- F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the application for the proposed new residence. The modern ranch style of the residence with 5:12 roofs is common for remodels and new homes throughout the city. The single story nature of the project allows it to blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Coastal 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 1760 48th 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 1760 48th Avenue. The project proposes a landscape plan that will enhance and revitalize vegetation on the property.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves the demolition and replacement of an existing residence, which will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves the demolition and replacement of an existing residence, which will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves the demolition and replacement of an existing residence and a garage, which will not negatively impact coastal resources. There are no coastal resources in the immediate area of the subject property.

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 the demolition and replacement of an existing 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.

Conditions of Approval:

General

1. 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 on August 8, 2024. All construction and site improvements shall be completed according to the approved plans.
2. 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.
3. Construction activity shall be subject to a 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

Planning

4. The project approval consists of construction of a 2,011 primary residence including an attached single car garage. The maximum Floor Area Ratio for the 4,008 square-foot property is 53% (2,124 square feet). The FAR of the project is 50.4% with a total of 2,011 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 August 8, 2024, except as modified through conditions of approval or as required by the Planning Commission during the hearing.

5. 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.
6. 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 17.156.080.
7. 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.
8. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
9. 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.
10. Prior to issuance of building permit, all Planning fees associated with permit #-23-0497 shall be paid in full.
11. Prior to issuance of a building permit, the city may require plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
12. Exterior lights shall comply with CMC Section 17.96.110 and be limited to the Building Code required minimum. Fixtures shall be shielded and directed downward to meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light and prevent light trespass on adjacent lots. Exterior lighting shall be shown and specified on the plans for Building Permit plan check.
13. The applicant shall complete installation of the front yard landscaping, prior to final inspection.
14. Prior to issuance of building permits, the building permit plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

Public Works

15. Submit a site drainage and grading plan including the following:
 - a. Drainage plan including the location of all existing and proposed downspouts and indicate direction of flow. Incorporate a runoff reduction measure into the site plan (e.g., disperse runoff to vegetated area, pervious paving, install a rain barrel).
 - b. Notation that site runoff shall not drain onto adjacent parcels.
 - c. Notation that plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
16. Complete and submit the attached Storm Water and Low Impact Development Assessment Checklist. Clearly mark all LID design measures on the site plans.

17. On a plan sheet, show total square footage of pre-project (existing) and post-project (new or replaced) impervious and pervious surfaces,
18. Submit a site plan that includes stormwater temporary construction sediment and erosion control measures (e.g., access to construction site, equipment and material storage locations and duration of placement, stockpile protection location and detail, wattle locations and detail, inlet protection detail, containment of trash/debris, location of portable toilet and containment/protection, etc.). The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
19. Public Works Standard Detail BMP STRM (Stormwater Pollution Prevention and Protection for Construction Projects) shall be printed in full and incorporated as a sheet in the construction plans with the date and signature. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
20. Applicant shall notify the Public Works Department 24 hours in advance of the commencement of work. A pre-construction inspection must be conducted by the grading official, or appointed staff to verify compliance with the approved erosion and sediment control plan. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction and shall be maintained throughout project duration.
21. 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.
22. Prior to project final, the applicant shall install new curb, gutter, and sidewalk along the property frontage to city standard or replace all cracked or broken driveway approaches, curb, gutter, or sidewalks 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.

6. Public Hearings

A. Citywide Housing Element Re-Adoption

Project Description: Permit #23-019 for the Readoption of the City of Capitola 6th Cycle Housing Element which includes properties Citywide.

Recommended Action: Adopt a resolution recommending the City Council 1) adopt the Addendum to the General Plan Update Environmental Impact Report; and 2) adopt amendments to the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development, and direct staff to submit the Housing Element to the State of California for certification.

Director Herlihy introduced the consultant team and presented the staff report which summarized the process of developing the Housing Element up until conditional approval by the HCD on July 26, 2024, including details of the amendments that have been made.

Commissioners Westman and Jensen voiced their approval and thanked staff for their hard work.

Chair Christiansen opened the public hearing.

Janine Roeth.

Chair Christiansen closed the public hearing.

Motion to adopt a resolution....: Commissioner Wilk

Seconded: Commissioner Jensen

Voting Yea: 4-0

7. Director's Report

Director Herlihy provided an update regarding the Bay Ave and Hill St Intersection Quick Build, providing general info on the project and directing the public to the website for more info.

Next, she informed the Commission that the drafts of the Zoning Code Updates that will be on next week's agenda have been published for public review and noticed to the public. Staff has been receiving public comment and are taking measures to direct the public to our website for more info.

Finally she let the Commission know what to expect on the agenda at the next City Council Meeting.

The next Special Meeting of the Planning Commission will take place on Tuesday, August 27th, at 6:00 PM

8. Adjournment – *The meeting was adjourned at 5:37 PM to the next regularly scheduled meeting of the Planning Commission on Thursday, August 15, at 6:00 PM.*