

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AUTHORIZING SUBMITTAL TO THE CALIFORNIA COASTAL COMMISSION FOR THE CERTIFICATION OF AN AMENDMENT TO THE LOCAL COASTAL PROGRAM AMENDING MUNICIPAL CODE TITLE 17 (ZONING) PERTAINING TO THE MULTIFAMILY (RM) ZONE AND ACCESSORY DWELLING UNITS**

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time;

WHEREAS, the City of Capitola Municipal Code Title 17 (Zoning) is a component of the City's certified LCP Implementation Plan;

WHEREAS, on August 22, 2024, the City Council adopted amendments to the 2023-2031 Housing Element of the General Plan (Housing Element) and Addendum to the General Plan Final Environmental Impact Report;

WHEREAS, Housing Element Program 1.6 states that the City shall review density and other development standards in the Residential Multifamily (RM) zone and revise as appropriate to facilitate multifamily housing development;

WHEREAS, the Planning Commission held work sessions on May 2 and June 6, 2024, to consider Zoning Code amendments affecting the RM zone in furtherance of Housing Element Program 1.6;

WHEREAS, at a noticed public hearing on August 15, 2024, the Planning Commission directed staff to conduct additional public outreach and return to the Planning Commission for continued discussion of the RM zone amendments in 2025;

WHEREAS, on February 24, 2025, the City hosted a community workshop to receive public input on the RM zone amendments with a focus on increases to allowed density in locations that could realistically accommodate additional multifamily development consistent with Housing Element Program 1.6;

WHEREAS, on March 3, 2025, the Planning Commission received an update on the RM zone amendments and provided input on the most effective and pragmatic approach to the RM zone amendments, including increased allowed density in seven RM areas;

WHEREAS City staff prepared draft amendments to Municipal Code Title 17 and the Zoning Map to implement Housing Element Program 1.6, and a conforming text amendment to the City's General Plan Land Use Element (together, the "RM Amendments");

WHEREAS, City staff presented the City's proposed approach to implementing Program 1.6 with respect to the RM Amendments to HCD on July 31, 2025, and HCD staff generally concurred with the City's approach;

WHEREAS, on November 14, 2024, City of Capitola Ordinance No. 1066 went into effect, amending, among other sections, Municipal Code Chapter 17.74 (Accessory Dwelling

Units) (the “ADU Ordinance”);

WHEREAS, on December 19, 2024, the City submitted Ordinance No. 1066 to HCD for review and comment on the ADU Ordinance;

WHEREAS, the City received a letter from HCD dated February 26, 2025, providing an informal “fly over” review of the ADU Ordinance, with suggested revisions;

WHEREAS, after discussions with HCD staff, City staff submitted a letter to HCD dated June 4, 2025, documenting revisions to the ADU Ordinance that reflect revisions, as agreed upon by City and HCD staff, to be sufficient to address comments in the February 26, 2025, HCD letter;

WHEREAS City staff prepared draft amendments (“ADU Amendments”) to the ADU Ordinance to implement the revisions agreed upon by City and HCD staff;

WHEREAS, together, the RM Amendments and ADU Amendments are known as the “Amendments”, and notice of the Amendments’ availability was mailed and public review drafts were made available on August 1, 2025, in compliance with California Coastal Act public participation requirements and applicable state law;

WHEREAS, at a duly noticed public hearing on August 21, 2025, the Planning Commission recommended that the City Council adopt the Amendments;

WHEREAS, the Capitola City Council conducted a duly noticed public hearing on September 11, 2025, at which the City Council introduced and performed a first reading of two ordinances and a resolution to adopt the proposed Amendments. On September 25, 2025, the City Council adopted the ordinances;

WHEREAS, the City Council determined that the Amendments are consistent with the General Plan subject to approval of the conforming General Plan Text Amendment, that the Amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, that the revisions would be internally consistent with all other provisions of the Municipal Code, and that the affected sites are physically suitable in terms of design, location, shape, size, and other characteristics to ensure that the permitted land uses and development will comply with the zoning code and general plan and contribute to the health, safety, and welfare of the affected sites, surrounding properties, and the community at large;

WHEREAS, the Amendments would become a component of Implementation Plan of the City’s Local Coastal Program and are intended to be implemented in a manner that is in full conformance with the California Coastal Act;

WHEREAS, the Local Coastal Program Implementation Plan establishes specific land use and development regulations to implement the Local Coastal Program Land Use Plan, and Title 17 (Zoning) and the Zoning Map are part of Capitola’s Local Coastal Program Implementation Plan; and

WHEREAS, the City provided Public Notice, as required under Coastal Act 30514 et seq., for Certification of the LCP Implementation Plan and Corresponding Maps.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the

City of Capitola, that this Resolution declares and reflects the City's intent to amend the LCP Implementation Plan as it pertains to Chapter 17 (Zoning), as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager or his designee is directed to submit the said Amendments to the California Coastal Commission for its review and certification. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the City of Capitola.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 11<sup>th</sup> day of September, 2025, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Joe Clarke, Mayor

ATTEST: \_\_\_\_\_  
Julia Gautho, City Clerk