

City of Capitola

Planning Commission Meeting Minutes

Thursday, November 06, 2025 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Paul Estey

Commissioners: Matthew Howard, Nathan Kieu, TJ Welch, Courtney Christiansen

1. **Roll Call and Pledge of Allegiance** - *The meeting was called to order at 6:00 PM. In attendance: Commissioners Kieu, Welch, Christiansen, and Chair Estey. Absent: Commissioner Howard.*
2. **Additions and Deletions to the Agenda** - *The Deputy City Clerk announced that three emails had been received as additional materials for Item 5B.*
3. **Oral Communications** - *None*
4. **Planning Commission/Staff Comments** - *Director Herlihy reminded the Commission of a Special Planning Commission meeting on November 19 at 5:00 PM; and a Special City Council meeting on November 20 at 6:00 PM at New Brighton Middle School.*
5. **Consent Calendar**

A. Approval of October 2, 2025, Planning Commission Minutes

B. 201 Esplanade

Project Description: Request to continue. Application #25-0190. APN: 035-211-05. Conditional Use Permit for the sale and onsite consumption of beer and wine at an existing restaurant located within the Mixed-Use Village (MU-V) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Michael Brodsky

Representative: Gabriela Castro, Filed: 9/23/25

Recommended Action: Continue item to the next regularly scheduled Planning Commission meeting on December 4, 2025.

Motion to approve the Consent Calendar: Vice Chair Christiansen

Second: Commissioner Kieu

Voting Yea: Commissioners Kieu, Welch, Christiansen, Chair Estey

Absent: Commissioner Howard

6. Public Hearings

A. 108 Fairview Avenue

Project Description: Application #25-0190. APN: 036-111-11. Accessory Dwelling Unit (ADU) Design Permit to replace an existing detached garage with a new two-story detached garage and ADU behind an existing primary residence. The project includes deviation requests for the ADU parking requirement and the ADU guaranteed allowance. The project is 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.

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Environmental Determination: Categorical Exemption

Recommended Action: Consider application #25-0190 and approve the project based on the attached Conditions and Findings for Approval.

Chair Estey recused himself due to a conflict of interest arising from the proximity of his residence to the project.

Associate Planner Sesanto presented the staff report.

Public Comment: None

Motion to approve Application #25-0190 with staff's recommended Conditions and Findings for Approval: Commissioner Welch

Second: Commissioner Kieu

Voting Yea: Commissioners Kieu, Welch, Christiansen

Abstain: Chair Estey

Absent: Commissioner Howard

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 detached ADUs on lots with historic structures.

- 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 structure complies with the 22-foot maximum ADU height limit and is well within the zone height limit of 25 feet. 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 single-bedroom ADU on a site with existing parking for the primary dwelling. The project includes a deviation request for the additional parking space requirement, with specific finding(s) below (J). With approval of the parking deviation, 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. The 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 in the rear of the property. Potential impacts to privacy, light, air, solar access, and parking have been considered and mitigated. The location and design of the ADU maintains a 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 to the proposed second-story ADU faces the interior of the lot and the primary residence. Windows facing adjacent properties are either clerestory or opaque. The design of the ADU, with siding materials similar to the primary residence and similar roof pitch, complements the design of the primary residence and does not visually dominate it or the surrounding properties.

- 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 location of the proposed ADU complies with the development standards in CMC §17.74.080. The project is within the coastal zone and complies with the local coastal plan.

- 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.

- J. The project deviation is necessary due to special circumstances applicable to subject property, including size, shape, topography, location, existing structures, or surroundings, and the strict application of this chapter would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.**

Parking: The 2,944 square foot lot is smaller than typical Capitola lots, limiting the placement of the ADU on the site. Furthermore, vehicle access to the property is limited to a narrow alley. Multiple arrangements were contemplated for a two-car garage with a third space located alongside the ADU or behind it (adjacent the alley), which resulted in one or more issues, including: access of onsite spaces, circulation of vehicles for the subject property and adjacent residences, and exceeding maximum driveway width. The proposed arrangement maintains two covered, off-street parking spaces which do not impact other alley users. The strict application of the chapter would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical R-1 zoning, as most ADUs do not require additional onsite parking, such as a unit attached to the primary dwelling. Approval of the current design enables the same benefits as an attached ADU without altering the existing historic structure.

Guaranteed Allowance (FAR): The majority of ADUs are subject to a guaranteed floor area allowance of 800 square feet. Therefore, the strict application of the chapter would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical R-1 zoning.

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 108 Fairview Avenue. Site improvements are located behind the primary dwelling, away from immediate public view and will otherwise maintain public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located at 108 Fairview Avenue. The home is not located in an area with natural habitats or natural resources. The project will maintain or enhance vegetation and will not negatively affect natural habitats or natural resources.

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

The site is private property which does not have public coastal access. The project will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves the construction of a single-family dwelling will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves an ADU 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.

With the granting of ADU deviations related to ADU parking and ADU floor area (guaranteed allowance), 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 construction of a detached garage and accessory dwelling unit 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:

1. The project approval consists of the demolition of an existing detached garage and construction of a 1,046 square foot detached structure, including a 487 square-foot garage and 559 square-foot accessory dwelling unit. The maximum Floor Area Ratio for the 2,944 square foot property is 57% (1,678 square feet). The total FAR of the project is 63.8% with a total of 1,878 square feet. The project approval includes approval of a deviation to utilize the guaranteed allowance, so they ADU may exceed the FAR equal to the size of the ADU. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on November 6, 2025, 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. Best management practices shall be used to protect the existing olive trees during construction, including preconstruction root exploration, preconstruction root pruning and canopy pruning, and tree protection structures. The applicant shall notify the City immediately upon evidence of tree death or decline. Tree death or trees in an irreversible state of decline shall be replaced to the satisfaction of the Community Development Department.
9. Prior to issuance of building permit, all Planning fees associated with permit #25-0190 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.

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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 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.
13. 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).
14. 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.
15. 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.
16. 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
17. 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.
18. 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.
19. 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.
20. 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.

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21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
22. 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.
23. 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.
24. 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.
25. Prior to issuance of a Certificate of Occupancy for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The accessory dwelling unit shall not be sold separately from the primary dwelling; and
 - c. The deed restriction shall lapse upon removal of the accessory dwelling unit.

B. 506 A Pine Street

Project Description: Application #24-0138. APN: 036-022-10. Design Permit for a second-story addition to an existing duplex and new detached, two-story residential unit on a 0.28-acre site located at 506 Pine Street, within the Residential Multifamily-Medium (RM-M) zone district. This project is not located within the Coastal Zone.

Environmental Determination: Categorical Exemption

Recommended Action: Planning Commission consider Permit #24-0138, and approve the Design Permit pursuant to the findings and analysis included in the staff report and subject to the Conditions of Approval.

Planning Consultant Gina Paolini presented the staff report.

Daniel Saphorghan, representing the applicant, addressed the Commission.

Public Comment:

- Dave Cramer

Motion to approve application #24-0138 with staff's recommended Conditions and findings of Approval: Commissioner Kieu

Second: Vice Chair Christiansen

Voting Yea: Kieu, Welch, Christiansen, Estey

Absent: Howard

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.**

The Community Development Department, Development and Design Review Committee, RRM Design Group, and Planning Commission have reviewed the project. The existing structure has been identified as nonconforming. Because the costs of improvements will not exceed 80 percent of the fair market value, the improvements and

addition are permitted. The proposed project, as conditioned, consists of long range and implementation planning documents. The project complies with the City's Design Review Criteria.

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

The Community Development Department, Design and Development Review Committee, and Planning Commission have reviewed the project. The proposed three-unit, multi-family development complies with all development standards of the RM-M zoning district, except for the identified nonconforming setbacks which may remain unaltered. The proposed project complies with all applicable requirements of local law and is conditioned to comply with any relevant approvals and permits from the City of Capitola.

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

The project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(b) - New Construction, and 15304(b) - Minor Alterations to Land. None of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). The project will not have a significant adverse effect on the environment.

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.

The proposed multifamily development will not have an impact to public, health, safety, and welfare. The buildings will be fire sprinkled and will be served by all necessary public utilities.

E. The proposed project complies with all applicable design review criteria in CMC Section 17.120.070 (Design Review Criteria).

The Community Development, Design and Development Review Committee, RRM Design Group, and Planning Commission have reviewed the project. The proposed three-unit, multifamily development and supporting improvements will comply with the applicable design review criteria as described by RRM Design Group.

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

The project site is located within the RM-M zoning District, surrounded by residential and commercial/office uses. The design complies with the City of Capitola standards. The proposed use does not introduce any new or unusual impacts.

Conditions of Approval:

General Conditions

1. The project approval consists of a Design Permit for a second-story addition to an existing duplex and new detached, two-story unit on a 0.28-acre site located at 506 Pine Street. Design Permit No. 24-0138 is approved as indicated on the final plans reviewed and approved by the Planning Commission on November 6, 2025, except as modified through conditions imposed by the Planning Commission during the hearing.
2. 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.

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3. 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.
4. At the time of submittal for building permit review, the Conditions of Approval must be printed in full on the construction plans.
5. 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.
6. 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.
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. The project applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise or activity. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. The name and telephone number of the disturbance coordinator shall be conspicuously posted at the construction site fence and on any notifications sent to neighbors. The sign/banner must also list an emergency after-hours contact number for emergency personnel.
9. Green Waste is the City’s exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Green Waste. Using another hauler may violate City Code Section 8.04 and result in Code Enforcement action.
10. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

Planning Department Conditions

11. Prior to making any changes to the 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.
12. Prior to issuance of a building permit, all Planning fees associated with Permit #24-0138 shall be paid in full.

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13. Air-conditioning equipment or other mechanical equipment shall be screened from view and fall within allowable city-permitted decibel levels. Additional details showing equipment locations and any mechanical screens shall be shown on the building permit plans.
14. Outdoor luminaires shall be energy-efficient fixtures controlled by motion sensors and incorporate cut-off controls and outdoor lighting controls. 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.
15. Prior to issuance of a building permit, the Building Permit plans will be routed for plan approval to the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District and Central Fire Protection District.
16. The Applicant or permittee shall defend, indemnify, and hold harmless the City of Capitola, its agents, officers, and employees from any claim, action, or proceeding against the City of Capitola or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval; provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions or proceedings.
17. Prior to issuance of building permits, the building plans must show that any existing overhead utility lines within the property and any new utility lines will be underground to the nearest utility pole.
18. Prior to occupancy, the Landscape Architect shall certify in writing that the landscaping and irrigation has been installed in accordance with all aspects of the approved landscape plans, subject to final approval by the Community Development Director.
19. At time of submittal for demolition and/or building permit review, the applicant shall include a demolition work of scope statement and a demolition plan clearly identifying all areas of walls and floors to be demolished. The City may require a letter from a structural engineer. Any modifications to the demolition plans, including modifications to the scope of work, means and methods of demolition/construction, or changes to the framing, windows, or any other exterior elements shall be submitted to the Building Department for review and approval prior to proceeding with demolition and/or construction. In the course of construction, the City may require additional plans as they deem necessary.
20. Trees approved for removal within this development application may not be removed prior to issuance of a building permit.
21. The 16-inch oak tree removed for the project shall be replaced with two, 15-gallon trees, to be installed prior to final occupancy.
22. Prior to issuance of a building permit, the project plans shall be revised to demonstrate compliance with CMC Section 17.82.080.B2.b- Windows and Doors, requiring that the street-facing windows be inset a minimum of three inches from the exterior wall or from surface to add relief to the wall surface.

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Public Works Department Conditions

23. 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.
24. Prior to issuance of building permits, the applicant shall submit a stormwater management plan, prepared and certified by a Registered Civil Engineer, to the satisfaction of the Director of Public Works which complies with Capitola Municipal Code Section 13.16.090 Post Construction Stormwater Management and implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
25. Prior to issuance of building permits, 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.
26. Complete and submit the attached Storm Water Low Impact Development Assessment Checklist. Clearly mark all LID design measures on the site plans.
27. New sidewalk will be required across the full frontage of the property. Please revise the plans to show that a full run of sidewalk will be installed per Public Works Standard Details and to the satisfaction of the Public Works Department. The standard details can be accessed on the City's website here:
<https://www.cityofcapitola.org/publicworks/page/standard-details-public-works>

Prior to Final Occupancy

28. Prior to final occupancy approval the applicant shall submit a final Operation and Maintenance Plan including any revisions resulting from changes made during construction for review, approval and recorded in the Office of the County Recorder by the Public Works Director.
29. Prior to final occupancy approval the applicant shall enter into and record in the Office of the County Recorder, any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of the stormwater treatment BMPs.
30. The Engineer of Record shall inspect and provide record drawings of construction of stormwater management improvements and certify to the City that the construction meets the intent of the approved design drawings, Stormwater Control Plan, and City Post Construction Requirements. Public Works Standard Conditions of Approval (to be printed in the plan set)
31. Public Works Standard Detail BMP STRM (Stormwater Pollution Prevention and Protection for Construction Projects) (attached) 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.

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32. 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.
33. 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.
34. Prior to 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.
35. Site runoff shall not drain onto adjacent parcels or over sidewalks.
36. 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. General Site Maintenance: Keep work site clear of debris and be aware of tracking mud, dirt, gravel into the street, and sweep daily, cover all stockpiles and excavation spoils. Practice good housekeeping and maintain temporary construction BMPs.

7. Director's Report

Director Herlihy announced that the City Council will be providing input on the 41st Avenue Corridor Study at their meeting on November 13; reminded the Commission that there will be a Special Planning Commission Meeting on November 19 at 5:00 PM and a Special City Council Meeting on November 20 at 6:00 PM at New Brighton Middle School.

- 8. Adjournment** – *The meeting adjourned at 6:36 PM. There will be a Special Planning Commission meeting on November 19, 2025, at 5:00 PM.*

ATTEST:  Signed by:
Rosie Wyatt, Deputy City Clerk