

# City of Capitola Planning Commission Special Meeting Minutes

**Thursday, April 21, 2022 – 5:00 PM**

City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Peter Wilk

**Commissioners:** Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman

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## 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Wilk called the meeting to order at 7 P.M. Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk were present.

## 2. ORAL COMMUNICATIONS

None presented

### A. Additions and Deletions to the Agenda

None presented

### B. Public Comments

None presented.

### C. Commission Comment

None presented

### D. Staff Comments

None presented

## 3. PUBLIC HEARINGS

### A. Ordinance Adding Chapter 17.82 to establish Objective Standards for Multifamily and Mixed-use Residential Developments

**Permit Number: 22-0126**

**Location: All zones with multifamily and mixed-use residential, excluding the mixed use village**

Draft ordinance to establish for new objective standards for multifamily and mixed-use residential development

Environmental Determination: Categorically Exempt under Section 15061(b)(3)

Property Owner: Citywide

Representative: Ben Noble, Ben Noble Planning

Planning Commission Consultant, Ben Noble presented the report and explained the standard will help protect the city and ensure quality developments. In early 2021, Council held a study session. The Planning Commission had a first review of the ordinance on March 31, 2022.

Recommendation: Review draft ordinance and consider forwarding a positive recommendation to the City Council to adopt the ordinance

Next step: Planning Commission recommendation with minor revisions; City Council hearing May 12, 2022

Public comments:

None presented

Commission deliberations and feedback:

Commissioner Routh requested clarifying the contradiction in item 17.82.070.B.1., concerning the length and width or if a building cannot be more than 50ft on the side. Ben Noble agreed that B.1 should be deleted. Commissioners Routh accepts the change

Commissioners Westman concurs, and comfortable with the detailed wordings of the ordinance

Commissioners Newman: prepared to move this along to the City Council after editing

Chair Wilk addressed the use of language, such as "must" although there are options, and recommended edits. Favors open window and notes window options are too prescriptive; limited details preferred. Asked where numbers came from for refuse storage areas of five feet for cards and seven feet for dumpsters.

Commissioner Westman recommends removing measurement and required the can/dumpster are screened. Commissioners agreed.

Commissioner Christiansen observes that there should be a degree of prescription as outlined.

Motion: recommend this to City Council with minor edits to remove 17.82.070.B.1, modify refuse storage areas, and remove the term must as discussed.

**RESULT:** Approved [Majority]

**Mover:** Commissioner Newman

**Second:** Commissioner Routh.

**Voting Yea:** Commissioners Westman, Christiansen, Newman, Routh

**Voting Nay:** Chair Wilk

## **B. SB9 Ordinance**

**Project #: 22-0079**

**APN: Applicable to all parcels in Single-Family Zone**

Project description: Amendments to the Capitola Municipal Code, Adding Section 17.75 SB9 Residential Developments to Title 17, Part 3 (Zoning, Citywide Standards), Adding Section 16.78 Urban Lot Splits to Title 16 (Subdivisions), Amending Section 17.74 Accessory Dwelling Units,

and Amending Section 16.08 Definitions for the implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and SB9 Residential Developments.

Environmental Determination: Implement of Government Code sections 65852.21 and 66411.7, are not considered a project under CEQA.

Property Owner: Ordinance applies to all properties in the R-1 Zoning District

Representative: Katie Herlihy, Community Development Director

Planning Commission Consultant Ben Noble presented the report. He explained that cities must allow urban lot splits with up to two dwelling units on each parcel. During the March 31, 2022, meeting, a majority of Planning Commission provided input as follows:

- Allow three stories on small lots to prioritize front yard.
- Require parking through shared access toward the back to the property

Staff requested direction on boundary of parking exception and whether or not to require individual utility connections for two units on the same lot.

Recommendation: review the draft ordinance and consider forwarding a positive recommendation to the City Council to adopt the ordinance

Next step: Planning Commission recommendation with minor revisions; City Council hearing May 12, 2022. Planning Commission recommendation with major revisions continue hearing to May 5, 2022

Public comments:

None presented

Commission deliberation:

Commissioner Westman addressed the issue of height and roof; prefers option with cars parked in front of building and recommends having two options.

Commissioner Routh noted that a building 30ft tall to the sidewalk ruins a neighborhood; prefers parking in the front.

Commissioner Newman supports option with parking where parking requirements are in effect, prefers option 2 and option 1

Chair Wilk prefers preserving front yard setbacks.

Commission feedback:

The Planning Commission accepted Planning Consultant Ben Noble's presentation and provided feedback. A majority of Commissioners provided the following recommended changes:

16.78.030 Reword to be more specific and include parking option 1 and 2 in the map

16.78.030.H. Add Floor Area calculation exclusions in 17.48.040.(B)(6) do not apply to an SB9 residential development

16.78.040.A.1 – Modify to Title report showing the current ownership and all liens and encumbrances.

16.78.040.A.3.D – add or civil engineer

16.78.060.A. in the fourth sentence change with to which.

17.75.040.G.2. Delete

Add 17.75.040.H to specify that floor area exclusions in 17.48.040(B)(6) do not apply to an SB9 residential development

17.75.050.7 reword and include parking options 1 and 2

Chair Wilk and Commissioner Routh favored preserving front yard setback by allowing parking in the front yard. Request the split vote be shared with City Council.

Motion: Positive recommendation of ordinance to City Council, with the listed modifications deliberated on at tonight's meeting

**Mover:** Vice Chair Westman

**Second:** Commissioner Newman.

**Voting Yea:** Commissioners Wilk, Westman, Christiansen, Newman

**Voting Nay:** Commissioner Routh

#### **4. DIRECTOR'S REPORT**

Director Herlihy reported that outdoor dining will be discussed at City Council meeting next week.

#### **5. COMMISSION COMMUNICATIONS**

Commissioner Christiansen reported that the Arts and Culture Commission is interested in outdoor dining events collaboration. Information on this has been given to Larry Laurent.

Chair Wilk reported on the Environmental Committee; they are interested in participating in environmental signage activities.

Commissioner Westman extended goodwill message to Commissioner Routh's wife on her new knee surgery

#### **6. ADJOURNMENT**

The meeting was adjourned at 6:45PM to the next Regular Meeting of the Planning Commission on May 5, 2022.

ATTEST/Approved by the Planning Commission

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Louis Osemwegie, Clerk to the Commission

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