

# City of Capitola

## Planning Commission Meeting Minutes

### Thursday, June 06, 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

*The meeting was called to order at 5:04 PM. In attendance, Commissioners Estey, Westman, Wilk, Vice Chair Jensen, and Chair Christiansen.*

#### 2. Planning Commission Training

##### A. Review of City's Ethics Policy

*Assistant City Attorney Tamar Burke presented the first topic of tonight's training: Review of City's Ethics Policy.*

##### B. Overview on California Conflict of Interest Law

*Assistant City Attorney Tamar Burke introduced the second section of tonight's Planning Commission Training: Overview on California Conflict of Interest Law. Main topics included FPPC rules (including the Political Reform Act, Form 700, Economic Interests reporting, and recusals), Common Law Conflicts, Contractual Conflicts, and Incompatible Offices.*

*Throughout the presentation, there were discussions about economic interest conflicts, recusal details, and contractual conflicts of interest.*

##### C. Training on Builder's Remedy

*Leila Moshref-Danesh, Senior Associate, Burke, Williams & Sorensen, LLP, presented the next section of the Planning Commission Training: Training on Builder's Remedy. Main topics included: Housing Accountability Act, CEQA, Builder's Remedy Reforms, and a Case Study on Portola Valley and St. Helena.*

*After the presentation, there was a question from the Commission about CEQA exemptions.*

*After this final training item, there was a general discussion and deliberation about the format of the Planning Commission's meeting minutes.*

#### 3. Additions and Deletions to the Agenda

*The Deputy City Clerk described the additional material.*

#### 4. Oral Communications

- *Goran Kelpic, resident.*

#### 5. Planning Commission/Staff Comments

*Commissioner Westman brought up Planning Commission minutes and consistency with City Council and action minutes and reminded everyone of the mosaic making classes happening at the Capitola Mall which will help create the artwork for the Wharf. The Planning Commission discussed meeting minutes and agreed to continue with action minutes including findings of fact and conditions of approval. Also, Planning Commissioners have the ability to submit in writing a statement regarding application for the record.*

*Vice Chair Jensen directed staff to work with the BIA to develop a program to “dress up” vacant commercial spaces to make them more visually appealing to visitors in Capitola Village.*

## 6. Consent Calendar

A. Approval of May 2, 2024, Planning Commission Meeting Minutes.

*Commissioner Jensen requested an amendment to the minutes.*

***Motion to approve Item 6A with the requested amendment: Commissioner Wilk***

***Seconded: Commissioner Westman***

***Voting Yea: 5-0***

## 7. Public Hearings

### A. Citywide Zoning Code Update

**Project Description: #24-0026 for future Amendments to the Capitola Municipal Code Title 17: Zoning.** The future Zoning Code amendments will impact citywide development standards and regulations. The Zoning Code is part of the City’s Local Coastal Program (LCP), and amendments require certification by the California Coastal Commission prior to taking effect in the Coastal Zone.

**Recommended Action: Provide feedback to staff on zoning discussion items and direct staff to prepare an ordinance to amend Capitola Municipal Code Title 17: Zoning.**

*Ben Noble, consultant, and Sean Sesanto, Associate Planner, presented Item 7A. The main topic of this presentation was RM (Residential Multifamily) Zone Density and Development Standards.*

*The Commission and Mr. Noble discussed several amendments to development standards in multi-family zones and increasing allowed densities at specific multi-family areas throughout the City.*

*The Commission responded positively to Mr. Noble's approach to meeting the Housing Element requirements and provided feedback to staff.*

*There was also a short discussion about driveway development standards related to the comments received in tonight's additional material.*

## 8. Director's Report

*Director Herlihy presented her Director's Report and updated the Commission on the following items: active code enforcement efforts within the City, the City's new intern, the 6<sup>th</sup> cycle housing element, the Wharf project, and asked two Commissioners to volunteer for an ad hoc committee to formulate a recommendation on design and color choices for the temporary wharf structures. Chair Christiansen and Commissioner Westman volunteered for the ad hoc committee.*

## 9. Adjournment – *The meeting was adjourned at 8:16 PM to the next regularly scheduled meeting of the Planning Commission on July 18th, 2024, at 6:00 PM.*