

# City of Capitola

## Planning Commission Meeting Agenda

### Thursday, February 02, 2023 – 7:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Susan Westman

**Commissioners:** Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

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*All correspondence received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.*

#### 1. Roll Call and Pledge of Allegiance

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

#### 2. Oral Communications

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

##### B. Public Comments

*Please review the Notice of Remote Access for instructions. Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes. Members of the public may speak for up to three minutes, unless otherwise specified by the Chair. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue.*

##### C. Commission Comments

##### D. Staff Comments

#### 3. Approval of Minutes

[A.](#) January 25, 2023 - Planning Commission Meeting Minutes

#### 4. Consent Calendar

*All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.*

##### [A.](#) 524 Pilgrim Drive

**Permit Number: #22-0372**

**APN: 035-103-04**

Design Permit for a single story addition and remodel. The addition will both enclose the existing front porch, extend off the rear of the building, and includes a portion of the attic for a total increase of 379 square feet. The project requires Planning Commission review due to the proposed roof height exceeding 15 feet tall.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15301(e)

Property Owner: Udesch Naicker

Representative: Udesch Naicker, Filed: 08.22.22

## 5. Public Hearings

*Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.*

### A. 203 Esplanade

**Permit Number: 23-0046**

**APN: 035-211-04**

Guidance on Emergency Coastal Development Permit and future Historic Alteration Permit for window replacement at Zelda's Restaurant

Environmental Determination: N/A

Property Owner: Jill Ealy, Zelda's Restaurant

Representative: Jill Ealy, Zelda's Restaurant

### B. 117 Saxon Avenue

**Permit Number: #22-0484**

**APN: 036-131-01**

Design Permit to legalize an internal attic conversion located in the R-1 (single-family) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15301(a)

Property Owner: John Shenk

Representative: John Shenk, Filed: 10.18.22

### C. 1555 Lincoln Avenue

**Permit Number: #21-0561**

**APN: 034-041-13**

Design Permit, Historical Alteration Permit, and Variance for additions to a historic single-family residence and the demolition of a non-historic accessory structure within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15331 and 15332

Property Owner: Suzie Gleeson and Tara Zorovich

Representative: Peter Spellman

### D. 517 Oak Drive

**Permit Number: #22-0394**

**APN: 035-082-06**

Variance for the required parking dimensions to construct first-story additions without meeting current parking standards. The project is located in the R-1 (Single-Family Residential) zoning district.

The project is located in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15332

Property Owner: Michael & Sara Moore

Representative: Michael & Sara Moore, Filed: 10.20.22

**E. Citywide Housing Element**

**Permit Number: 23-0019**

**APN: Citywide**

Introduction to Housing Element Update

Environmental Determination: TBD

Property Owner: Citywide

Representative: Brett Stinson and Diane Bathgate, RRM Design Group; Veronica Tam, VTA, Inc.

**6. Director's Report**

**7. Commission Communications**

**8. Adjournment**

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**Notice of In-Person & Remote Access**

**Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010.**

**Other ways to Watch:**

Spectrum Cable Television channel 8

City of Capitola, California Youtube Channel:

<https://www.youtube.com/channel/UCJgSsB5qqoS7CcD8lq9Yw1g>

**To Join Zoom Application or Call in to Zoom:**

Meeting link:

<https://us02web.zoom.us/j/84769092900?pwd=anpWVWIQamFzT3BGUm54QStJWtdwQT09>

Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

Meeting ID: **847 6909 2900**

Meeting Passcode: **379704**

**To make a remote public comment:**

Via Zoom Application: Use participant option to “raise hand”. The moderator will unmute you.

Via Zoom phone call: Dial **\*9** on your phone to “raise hand”. The moderator will unmute you.

**Appeals:** The following decisions of the Planning Commission can be appealed to the City Council within ten (10) calendar days following the date of the Commission action: Design Permit, Conditional Use Permit, Variance, and Coastal Permit. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in submitted writing on an official city application form, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Agenda and Agenda Packet Materials:** The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: [www.cityofcapitola.org/meetings](http://www.cityofcapitola.org/meetings). Need more information? Contact the Community Development Department at (831) 475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

**Americans with Disabilities Act:** Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

**Televised Meetings:** Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: [www.cityofcapitola.org](http://www.cityofcapitola.org)

# City of Capitola

## Planning Commission Meeting Minutes

### Wednesday, January 25, 2023 – 7:00 PM



City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Susan Westman

**Commissioners:** Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

*Notice of Continuance of Public Hearing: Notice is hereby given that the public hearing originally scheduled for the City of Capitola Planning Commission regular meeting of January 19, 2023 (Agenda Items 4A – 517 Oak Drive Permit Number 22-0394, and 5A – 4401 & 4525 Capitola Road Permit Number 22-0244) has been continued by the Planning Commission to January 25, 2023 at 7:00 PM in accordance with Government Code Section 54955.1.*

#### 1. Roll Call and Pledge of Allegiance

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

***The meeting was called to order at 7:00 PM.***

***In attendance: Commissioners Estey, Jensen, Wilk, and Vice Chair Christiansen.***

***Absent: Chair Westman***

#### 2. New Business - None

#### 3. Oral Communications

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

*Four public comments related to the public hearing were received and distributed to the Commission.*

##### B. Public Comments - None

##### C. Commission Comments - None

##### D. Staff Comments

*Community Development Director Herlihy reminded Planning Commissioners of the Joint Workshop of the City's Advisory Bodies on January 31, 2023, at 5 PM. She also advised the Commissioners of the removal of a tree in the City Hall parking lot.*

#### 4. Consent Calendar

##### A. 517 Oak Drive

**Permit Number: #22-0394**

**APN: 035-082-06**

Variance for the required parking dimensions to construct first-story additions without meeting current parking standards. The project is located in the R-1 (Single-Family Residential) zoning district.

The project is located in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Michael & Sara Moore

Representative: Michael & Sara Moore, Filed: 10.20.22

***Motion to approve the Consent Calendar made by Commissioner Wilk***

**Seconded by Commissioner Jensen  
4-0-1 (Westman - Absent)**

**5. Public Hearings**

**A. 4401 & 4525 Capitola Road**

**Permit Number: #22-0244**

**APN: 034-123-05 & 034-124-18**

Continued from January 19, 2023 - Design Permit, Conditional Use Permit, Density Bonus, and Coastal Development Permit request for a 36-unit, 100% affordable housing project on an approximate 0.81-acre site on the northeast corner of Capitola Road and 44th Avenue. The project includes a mix of 1-bedroom, 2-bedroom and 3-bedroom apartment units, configured in two 3-story buildings. The project includes a density bonus request pursuant to California Government Code sections 65915 – 65918.

Environmental Determination: Categorical Exemption 15332 - In-fill Development

Applicant: CRP Affordable Housing & Community California, LLC

**Brian Froelich, Senior Planner, presented the staff report.**

**Commissioner Comments Included:**

*Commissioner Wilk inquired about the tree coverage requirement for the project, Public Works and Police input on the project, and Capitola resident priority. Staff clarified that the project exceeds the tree coverage requirement, and that Capitola residents may apply but cannot receive priority due to the Fair Housing Act.*

*Commissioner Jensen inquired about the public hearing noticing for this project. Staff clarified that the public hearing was noticed in the Santa Cruz Sentinel and that postcards including information were sent to residents. The site was posted with a sign with public hearing information. The continuance date was also posted in the newspaper. Commissioner Jensen also inquired about the proposed building height.*

*Commissioner Estey inquired about the project's proximity to the Transit Center at Capitola Mall and allowances related to a Transit oriented development. Commissioner Estey also inquired about the noticing requirements for the project and staff responded that all applicable government codes were followed.*

**Garrett Bascom, Project Manager, and Robert Lindley, Project Architect, spoke on behalf of CRP Affordable Housing & Community Development (Project Applicant).**

**Public comments were received from the following individuals opposed to the project:**

- |                           |                       |                            |
|---------------------------|-----------------------|----------------------------|
| <i>Paula Bradley</i>      | <i>Melody Nickham</i> | <i>Kathleen Shellhorse</i> |
| <i>Michelle Hendersen</i> | <i>Shane Milhorn</i>  | <i>TJ Welch</i>            |
| <i>Phillip Cross</i>      | <i>Mick Routh</i>     | <i>Ed Bottorff</i>         |
| <i>Cynthia</i>            | <i>Erin Bernal</i>    |                            |

**Public comment was received from the following individual in support of the project:**

*Kalisha Webster*

**Commissioner Comments:**

*Commissioner Wilk inquired about appeal of the Planning Commission's decision, thanked speakers for their comments, and mentioned the role of the Planning Commission in conjunction with state and local regulations.*

*Commissioner Jensen thanked community members for their comments and expressed concerns about noticing. He expressed interest in continuing the item.*

*Commissioner Estey also expressed interest in continuing the item and mentioned concerns about noticing and the City's role in California density housing laws.*

*Commissioner Wilk recommended if a continuance is issued, that direction to staff should be provided to conduct a safety study to evaluate resident concerns on traffic impacts.*

*Vice Chair Christiansen echoed Commissioner Wilk's thoughts and requested that a parking management plan be created to address parking concerns.*

**Motion to continue the item by Commissioner Jensen.**

**Request for clarification by Commissioner Wilk to include specific actions for the continuance.**

**Commissioner Jensen amended the motion to continue the item so that staff can conduct a safety review for traffic and ensure the 300-foot noticing requirement is accurately distributed.**

**Seconded by Commissioner Estey.**

**3-1-1 (Commissioner Wilk - Nay, Chair Westman - Absent)**

**6. Director's Report**

*Community Development Director Herlihy presented an update on staff response to the storm.*

**7. Commission Communications**

*Commissioner Wilk welcomed new commissioners.*

*Commissioner Jensen requested that questions from members of the public relating to Item 5A be addressed and shared. He also thanked staff for their efforts on storm cleanup.*

**8. Adjournment - Adjourned at 9:35 PM to the next regularly scheduled meeting on February 2, 2023, at 7 PM.**

**ATTEST:**

\_\_\_\_\_  
Julia Moss, City Clerk

# Capitola Planning Commission

## Agenda Report



**Meeting:** February 2, 2023  
**From:** Community Development Department  
**Topic:** 524 Pilgrim Drive

**Permit Number: #22-0372**

**APN: 035-103-04**

Design Permit for a single story addition and remodel. The addition will both enclose the existing front porch, extend off the rear of the building, and includes a portion of the attic for a total increase of 379 square feet. The project requires Planning Commission review due to the proposed roof height exceeding 15 feet tall.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15301(e)

Property Owner: Udesch Naicker

Representative: Udesch Naicker, Filed: 08.22.22

### Applicant Proposal:

The applicant is proposing a remodel and first floor additions to an existing 1,267 square-foot single-story residence in the R-1 (Single-Family Residential) zoning district. The project requires Planning Commission review due to a portion of the new mono-plane roof extending above 15 feet in height. Staff informed the applicant that the project would qualify for a Minor Design Permit if the design was altered not to exceed 15 feet in height, but the applicant chose to maintain the original roof design.

### Background:

On January 23, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: noted that site stormwater must be kept onsite and not drain to neighboring properties.

Building Official, Robin Woodman: had no comments.

Senior Planner, Brian Froelich: had no comments.

### Development Standards:

The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District.

| Lot Standards               |                         |                         |
|-----------------------------|-------------------------|-------------------------|
|                             | Existing                | Proposed                |
| <b>Lot Size</b>             | 5,000 sq. ft.           | 5,000 sq. ft.           |
| <b>Max Floor Area Ratio</b> | 50% (Max 2,500 sq. ft.) | 50% (Max 2,500 sq. ft.) |
| Primary Dwelling Unit       | 1,267 sq. ft.           | 1,646 sq. ft.           |



|  |  |  |   |
|--|--|--|---|
| Detached Garage  | 490 sq. ft.                                | 490 sq. ft.  |   |
| <b>TOTAL FAR</b>   | 35.1% (1,757 sq. ft.)                      | 42.7% (2,136 sq. ft.)  |   |
| <b>Parking</b>   |  |  |   |
|  | <b>Required</b>                            | <b>Existing</b>  | <b>Proposed</b>                                       |
| Residential (1,501-2,000 sq. ft.) *Garage exempt                 | 3 spaces total<br>1 covered<br>2 uncovered | 4 spaces total<br>2 covered<br>2 uncovered                   | 3 spaces total<br>1 covered<br>2 uncovered            |
| <b>Underground Utilities: required with 25% increase in area</b> |  | No   |   |
| <b>Development Standards – Detached Garage</b>                   |  |  |   |
|  | <b>R-1 Regulation</b>                      | <b>Existing</b>  | <b>Proposed</b>                                       |
| <b>Floor Area</b>  | N/A  | 490 sq. ft.  | 490 sq. ft.   |
| <b>Maximum Height</b>  | 15 feet                                    | 12 feet  | 12 feet   |
| <b>Front Yard</b>  | 20 feet                                    | 65 feet  | 65 feet   |
| <b>Side Yard</b>   | 3 ft.                                      | North: 26 feet<br><br>South: 3 ft. 8 in.                     | North: 26 feet<br><br>South: 3 ft. 8 in.              |
| <b>Rear Yard</b>   | 3 ft.                                      | 14 ft. 1 in.   | 14 ft. 1 in.  |
| <b>Development Standards – Primary Residence</b>                 |  |  |   |
|  | <b>R-1 Regulation</b>                      | <b>Existing</b>  | <b>Proposed</b>                                       |
| <b>Maximum Height</b>  | 25 ft.                                     | 12 ft. 7 in.   | 17 ft. 5 in.  |
| <b>Front Yard 1<sup>st</sup> Story</b>                           | 15 ft.                                     | 14 ft. 6 in.<br>(nonconforming)                              | 15 ft. (addition)                                     |
| <b>Side Yard 1<sup>st</sup> Story</b>                            | 5 ft.                                      | North: 3 ft. 8 in.<br>(nonconforming)<br>South: 12 ft. 3 in. | North: No change<br>South: 12 ft. 3 in.<br>(addition) |
| <b>Rear Yard 1<sup>st</sup> / 2<sup>nd</sup> Story</b>           | 20 ft.                                     | 43 ft. 2 in.   | No change   |

**Discussion:**

The existing residence at 524 Pilgrim Avenue is a 1,267 square-foot, one-story, single-family residence. The home is a ranch style with a hip roof and was built in 1960. The proposed remodel/addition would enclose the front porch, add to the rear of the residence, and incorporates a new contemporary mono-plane roof line. The property is a mid-block lot that backs up to the Lower Beach and Village parking lot. The immediate neighborhood area includes primarily one- and a few two-story single-family residences.

The proposed design utilizes a mix of horizontal board siding and stucco and charcoal colored composition shingle roof. The property has an existing two-car garage behind the residence which is accessed from a single width driveway. The garage is clad in stucco and will be painted to match the house.

**Parking**

The proposal requires three parking spaces, one covered and two uncovered. The existing parking includes two covered garage spaces and two tandem driveway spaces. The addition to the rear of the home makes maneuvering into the second garage stall no longer possible. Staff informed the applicant that the garage would be considered only a single car garage for purposes of this permit request and may preclude further additions. The site provides the required parking of three parking spaces with one covered.

**Legal Nonconformity**

The existing residence was constructed in 1960 and sits at three feet eight inches from the north side property line where five feet is the current standard and 14 feet six inches from the front property line where 15 feet is the current standard. This makes the existing residential structure legal nonconforming per section 17.92.030. Legal nonconforming structures are permitted to be altered such that the alterations do not exceed 80% of the structure's value. Staff calculated that the proposed project results in a 66.8% valuation and is compliant with this standard.

**CEQA:**

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 362 square feet (22%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during project review by Planning Department Staff.

**Recommendation:**

Staff recommends the Planning Commission **approve** application #22-0372 with the following Conditions and Findings for Approval.

**Attachments:**

1. Plan Set
2. Construction Cost Breakdown

**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. 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. 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

**Planning**

4. The project approval consists of construction of a remodel and 397-square-foot single-story additions to an existing nonconforming single-family residence. The maximum Floor Area Ratio for the 5,000-square-foot property is 50% (2,500 square feet). The total FAR of the project is 42.7% with a total of 2,136 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 February 2, 2022, except as modified through conditions imposed 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 #22-0372 shall be paid in full.
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.

### **Public Works**

12. Submit a temporary construction sediment and erosion control plan (construction bmp's), including The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
13. Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans.
14. Prior to issuance of building permits, the applicant shall submit a site drainage plan to the satisfaction of the Director of Public Works which incorporates a runoff reduction measure into the site plan, e.g., disperse runoff to vegetated area, pervious paving, rain barrel or cistern which implements applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

15. Site runoff shall not drain onto the adjacent parcels.
16. 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.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work.
18. No material or equipment storage may be placed in the road right-of-way.

### **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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397 square-foot single-story addition and remodel 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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397-square-foot single-story addition complies with all 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 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 397 square feet (22%) of floor area, so this exemption applies. 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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397-square-foot single-story addition 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 Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The 397-square-foot single-story addition complies with the applicable design review criteria as described in the staff report.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the 397-square-foot single-story addition. The single-story design of the home, with a mono plane roof, asphalt composition shingles, horizontal wood board and stucco siding, is different in style but remains a single story and will blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Prepared by: Brian Froelich

① GENERAL NOTES

1. CONTRACTOR AND SUB CONTRACTOR SHALL VERIFY ALL TRADES, DIMENSIONS AND CONDITIONS BEFORE PROCEEDING WITH JOB AND SHALL NOTIFY THE DESIGNER, ENGINEER IMMEDIATELY IN THE EVENT OF DISCREPANCIES BETWEEN ACTUAL CONDITIONS AND THE DRAWINGS.

2. THE DRAWING AND SPECIFICATIONS ARE PREPARED FROM INFORMATION PROVIDED BY CLIENT/OWNER. THE DESIGNER/ENGINEER HAS MADE EVERY EFFORT TO MAINTAIN A HIGH STANDARD OF ACCURACY. SHOULD A DISCREPANCY ARISE BETWEEN DRAWINGS AND FIELD CONDITIONS, IT SHALL BE BROUGHT TO ATTENTION OF GENERAL CONTRACTOR AND TO DESIGNER/ENGINEER FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. DESIGNER/ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR WORK THAT DIFFERS FROM THAT SHOWN ON, OR FOR WORK NOT PERFORMED IN A GOOD WORKMANSHIP MANNER.

3. DO NOT SCALE THE DRAWING. IF NEEDED, CONSULT DESIGNER/ENGINEER FOR CLARIFICATION.

4. IN THE ABSENCE OF ANY MATERIAL DESCRIPTION IN PART OF WHOLE, THE CONTRACTOR SHALL FINISH AND INSTALL ALL COMPONENTS NECESSARY FOR COMPLETION. OF THE WORK IN EQUIVALENT QUALITY OF SPECIFIED CONSTRUCTION TO THE SATISFACTION OF THE OWNER, DESIGNER/ENGINEER.

5. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS INCLUDING NOT LIMITED TO STRUCTURAL, FOUNDATION, ELECTRICAL, MECHANICAL AND PLUMBING REQUIREMENTS PRIOR TO THE START OF THE JOB.

6. ALL WORK SHALL COMPLY WITH THE LATEST EDITION OF APPLICABLE CODES, AND ALL LOCAL ORDINANCES.

7. DUCT EXTENSION OF 40' OR MORE REQUIRES HERS VERIFICATION.

8. LEAD SAFE WORK PRACTICES RE REQUIRED BY STATE OF CALIFORNIA LAW FOR ALL WORK THAT DISTURBS PAINT IN PRE-1978 RESIDENTIAL BUILDINGS DUE TO THE POSSIBLE PRESENCE OF LEAD-BASED PAINT. AS F APRIL 22, 2010, THE US ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIRES ALL WORKERS WHO DISTURB PAINTED SURFACES TO BE RAINED AND ALL FIRMS TO BE EPA CERTIFIED IN LEAD SAFETY. FOR MORE INFORMATION, CONTACT EPA AT [WWW.EPA.GOV/LEAD](http://WWW.EPA.GOV/LEAD)

\*AN OPERATION AND MAINTENANCE MANUAL WILL BE PROVIDED TO THE BUILDING OCCUPANT OR OWNER PER CGC 4.410.1

\*UPON REQUEST, VERIFICATION OF COMPLIANCE WITH THIS CODE MAY INCLUDE CONSTRUCTION DOCUMENTS, PLANS, SPECIFICATIONS, BUILDER OR INSTALLER CERTIFICATION, INSPECTION REPORTS, OR OTHER METHODS ACCEPTABLE TO THE BUILDING DEPARTMENT WHICH WILL SHOW SUBSTANTIAL CONFORMANCE.

\*ANNULAR SPACES AROUND PIPES, ELECTRIC CABLES, CONDUITS OR OTHER OPENINGS IN SOLE/BOTTOM PLATES AT EXTERIOR WALLS SHALL BE REDDENT PROOFED BY CLOSING SUCH OPENINGS WITH CEMENT MORTAR, CONCRETE, MASONRY, OR SIMILAR METHOD ACCEPTABLE TO THE ENFORCING AGENCY PER CGC 4.406.1

\*AT THE TIME OF ROUGH INSTALLATION, DURING STORAGE ON THE CONSTRUCTION SITE AND UNTIL FINAL STARTUP OF THE HEATING, COOLING AND VENTILATING EQUIPMENT, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENTS OPENINGS SHALL BE COVERED WITH TAPE, PLASTIC, SHEET METALS, OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY TO REDUCE THE AMOUNT OF WATER, DUST OR DEBRIS, WHICH MAY ENTER THE SYSTEM PER CGC 4.504.1

\*EXHAUST FANS, WHICH ARE ENERGY STAR COMPLIANT AND BE DUCTED TO TERMINATE OUTSIDE THE BUILDING, SHALL BE PROVIDED IN EVERY BATHROOM PER CGC 4.506.1

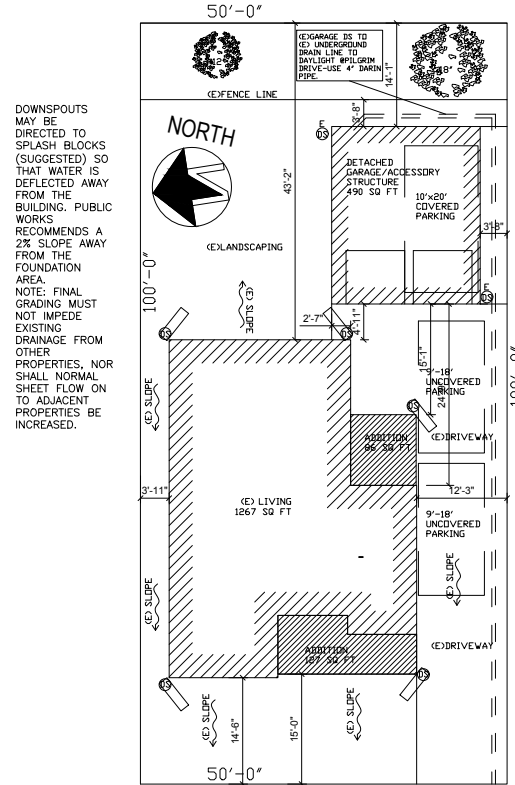
HEATING AND AIR-CONDITIONING SYSTEM SHALL BE SIZED, DESIGNED AND HAVE THEIR EQUIPMENT SELECTED USING THE FOLLOWING METHODS:

- HEAT LOADS/HEAT GAIN VALUES IN ACCORDANCE WITH ANSI/ACCA 2 MANUAL J-2004 OR EQUIVALENT)
- DUCT SYSTEMS ARE SIZED ACCORDING TO ANSI/ACCA 1, MANUAL D-2009 OR EQUIVALENT)
- SELECT HEATING AND COOLING EQUIPMENT IN ACCORDANCE WITH ANSI/ACCA 3, MANUAL S-2004 OR EQUIVALENT.
- HVAC SYSTEM INSTALLERS SHALL BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS AND EQUIPMENT BY A RECOGNIZE TRAINING OR CERTIFICATION PROGRAM PER CGC 702.1.

REMODEL/ADDITION  
524 PILGRIM DR.  
CAPITOLA, CA. 95010

② PLOT PLAN DRAINAGE

SCALE 1/8"=1'-0"



③ VICINITY MAP

NOT DRAWN TO SCALE



④ DRAWING INDEX

- A1.0 TITLE PAGE
- A2.0 SITE PLAN
- A2.1 FLOOR PLAN
- A2.1 ATTIC PLAN
- A3.0 SECTIONS
- A3.0 ELEVATIONS
- A3.1 SECTIONS
- A4.0 ELEVATIONS
- A5.0 ROOF PLAN
- A5.0 ELECTRICAL

⑤ PROJECT TEAM

**HOME OWNER**  
UDESH NAICKER  
524 PILGRIM DR.  
CAPITOLA, CA. 95010

**DESIGNER**  
AIASSA DESIGNERS  
JEANNIE KESTER  
(408) 230-2989  
JAIASSA@YAHOO.COM

⑥ SCOPE OF WORK

- (E) HOUSE
- 3 BEDROOMS
- 2.5 BATH
- REBUILD/ADDITION
- 3 BEDROOMS
- 2.5 BATHS
- REMODEL/RELOCATION OF KITCHEN
- REMODEL/RELOCATION OF EXISTING BATH(S)
- NEW ELECTRICAL WHERE APPLYS

⑦ APPLICABLE CODES

- 2019 CBC, CMC, CPC, CEC
- 2019 CALIFORNIA RESIDENTIAL CODES
- 2019 INTERNATIONAL BUILDING CODE
- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA GREEN BUILDING STANDARDS
- 2019 CITY OF CUPERTINO MUNI. CODE
- 2019 CALIFORNIA RESIDENTIAL CODE
- 2019 CALIFORNIA FIRE CODE

⑧ PROJECT DATA

APN : 03510304  
ZONING DISTRICT: R-1  
CONSTRUCTION TYPE: VB  
OCCUPANCY TYPE: R3  
LOT SIZE IN SQ FT: 5,000 SQ FT  
BUILT 1960

| STRUCTURES                            | SQ. FT.                   |
|---------------------------------------|---------------------------|
| 1. (E) MAIN HOUSE                     | 1,267 SQ FT               |
| 2. (E) FRONT PORCH TO BE REMOVED      | 40 SQ FT                  |
| 3. (E) DETACHED 2 CAR GARAGE/WORKSHOP | 490 SQ FT                 |
| 4. (N) REAR ADDITION                  | 86 SQ FT                  |
| 5. (N) FRONT ADDITION                 | 127 SQ FT                 |
| 6. (N) ATTIC ABOVE 4' HT              | 166 SQ FT (NON HABITABLE) |
| <b>TOTAL HOUSE</b>                    | <b>1,480 SQ FT</b>        |
| <b>LOT COVERAGE</b>                   | <b>1,970 SQ FT</b>        |

| SETBACKS    |        |
|-------------|--------|
| FRONT       | 14'-6" |
| REAR        | 43'-2" |
| RIGHT SIDES | 3'-11" |
| LEFT SIDE   | 12'-3" |

\*HERS VERIFICATION REQUIRED BY T-24 ENERGY REPORT. PROVIDE EVIDENCE OF  
\*THIRD-PARTY VERIFICATION (HERS) TO PROJECT BUILDING INSPECTOR, PRIOR TO FINAL INSPECTION\*.  
\*SPECIAL INSPECTION AND/OR STRUCTURAL OBSERVATION REQUIRED AS PER CBC CHAPTER 17.

| No. | Revision/Issue | Date |
|-----|----------------|------|
|     |                |      |
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ALL WORK SHALL CONFORM TO APPLICABLE REQUIREMENTS OF LOCAL, STATE, AND FEDERAL AGENCIES HAVING JURISDICTION. AIASSA DESIGNERS ASSUMES NO RESPONSIBILITY FOR THE SUPERVISION NOR PROPER EXECUTION FOR THE WORK SHOWN ON THESE DRAWINGS, NOR FOR ANY EXISTING CONSTRUCTION. ANY REPRODUCTION IN ANY FORM OR PART THERE OF, IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF AIASSA DESIGNERS.

CONTRACTORS TO VERIFY ALL CONDITIONS AND REPORT ANY DISCREPANCIES TO OWNER, DESIGNER, AND ENGINEER

ALL WORK SHALL COMPLY WITH THE CURRENT CALIFORNIA BUILDING, MECHANICAL AND PLUMBING CODES, AND CURRENT NATIONAL ELECTRICAL CODES.

TITLE PAGE

Project Name: 524 Pilgrim Dr. Capitola, CA 95010  
JEANNIE KESTER  
654 NEILL CT  
FRENCH CAMP, CA. 95321  
(408) 230-2989  
WWW.AIASSADISIGNERS.COM

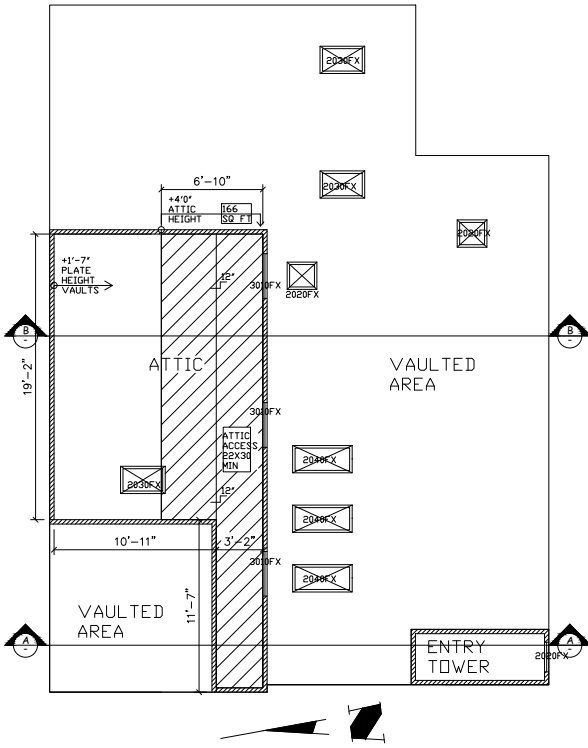
Project Name: 524 Pilgrim Dr. Capitola, CA 95010  
UDESH NAICKER  
524 PILGRIM DR.  
CAPITOLA, CA. 95010

Project: REMODEL/ADDITION  
Date: 07-23-2022  
Scale: A1.0  
Notes: VARIES



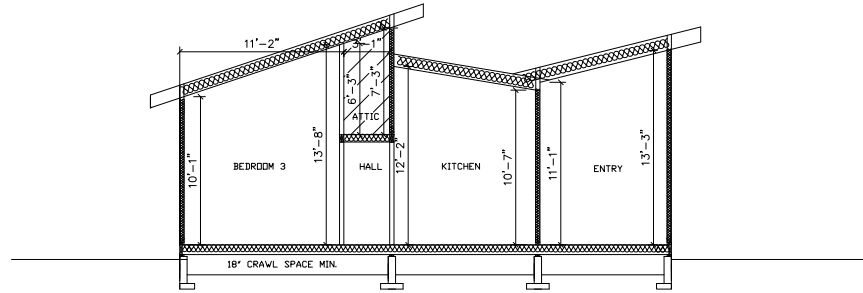
① ATTIC FLOOR PLAN

SCALE 1/4"=1'-0"



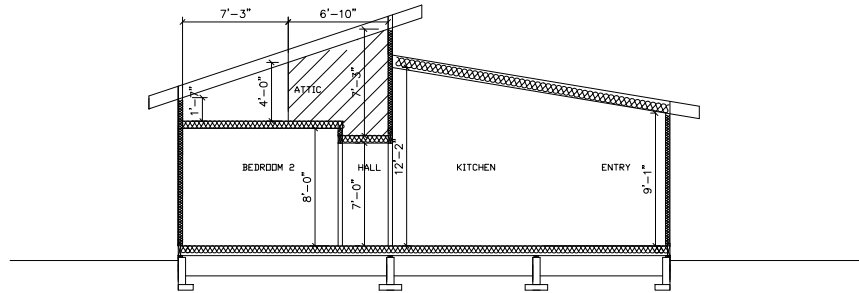
② SECTION A-A

SCALE 1/4"=1'-0"



③ SECTION B-B

SCALE 1/4"=1'-0"



④ X

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ATTIC PLAN SECTIONS

Drawn By: JN  
 JEANNE WESTER  
 654 NEILL CT  
 FRENCH CAMP, CA. 95231  
 (408)230-2889  
 WWW.IAASSADESIGNERS.COM

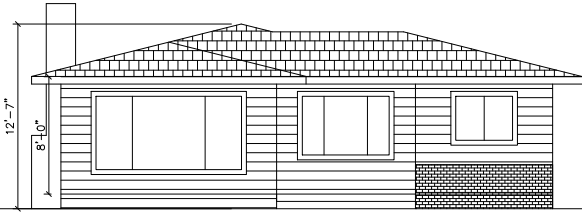
Project Name and Address  
 UDESH NAICKER  
 524 PILGRIM DR.  
 CAPITOLA, CA. 95010

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|---------|------------------|-------|------|
| Project | REMODEL/ADDITION | Sheet | A2.1 |
| Date    | 07-23-2022       | Scale |      |
| Scale   | 1/4" = 1'-0"     |       |      |



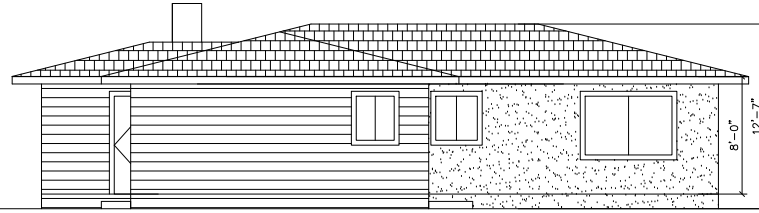
① (E)FRONT

SCALE 1/4=1'-0"



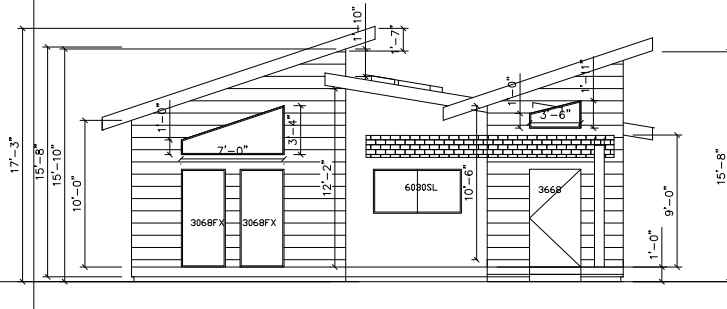
② (E)RIGHT

SCALE 1/4=1'-0"



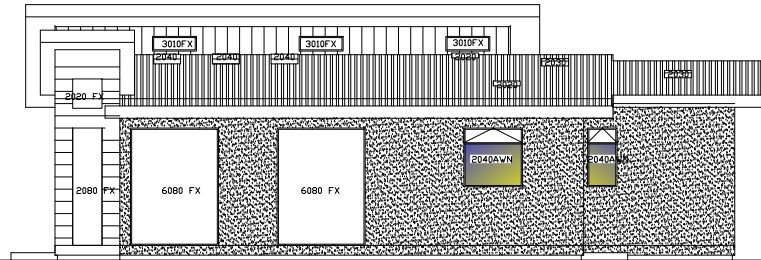
③ (N)FRONT

SCALE 1/4=1'-0"



④ (N)RIGHT

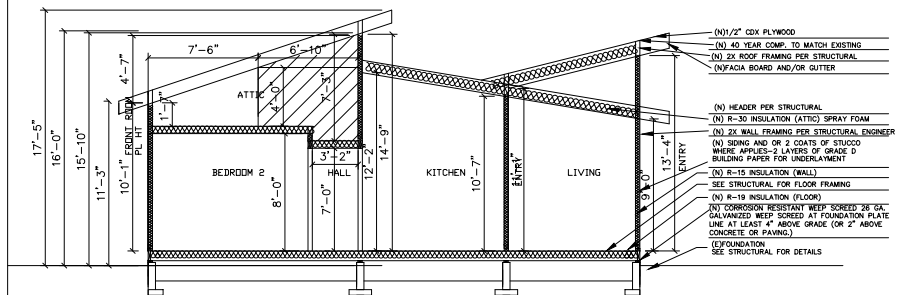
SCALE 1/4=1'-0"



⑤ X

⑥ TYP. SECTION

SCALE 1/4=1'-0"



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ELEVATIONS SECTION

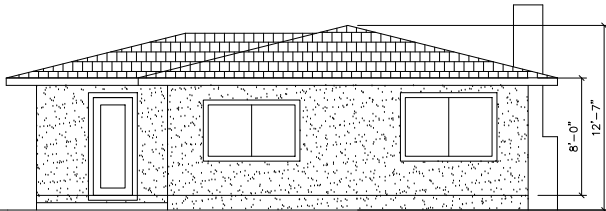
Project Name and Address:  
JEANNE WESTER  
654 NEILL CT  
FRENCH CAMP, CA. 95231  
(408)230-2889  
WWW.AIASSADESIGNERS.COM

Project Name and Address:  
UDESH NAICKER  
524 PILGRIM DR.  
CAPITOLA, CA. 95010

|                  |            |              |
|------------------|------------|--------------|
| REMODEL/ADDITION | DATE       | SCALE        |
| 07-23-2022       | 07-23-2022 | 1/4" = 1'-0" |
| A3.0             |            |              |

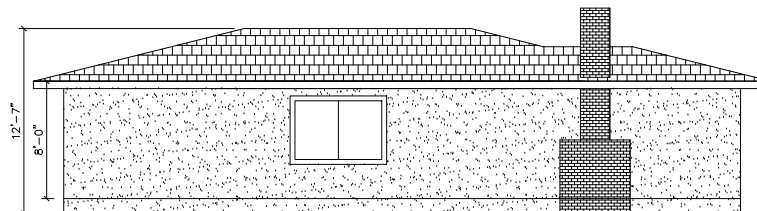
① (E) REAR

SCALE 1/4"=1'-0"



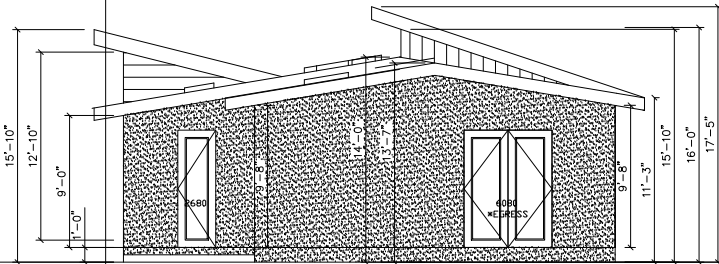
② (E) LEFT

SCALE 1/4"=1'-0"



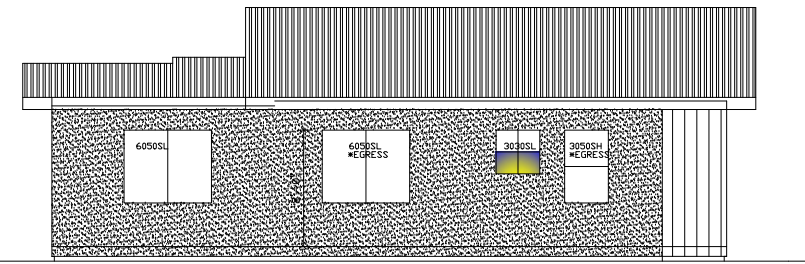
③ (N) REAR

SCALE 1/4"=1'-0"



④ (N) LEFT

SCALE 1/4"=1'-0"



⑤ X

⑥ X

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| No. | Revision/Issue | Date |
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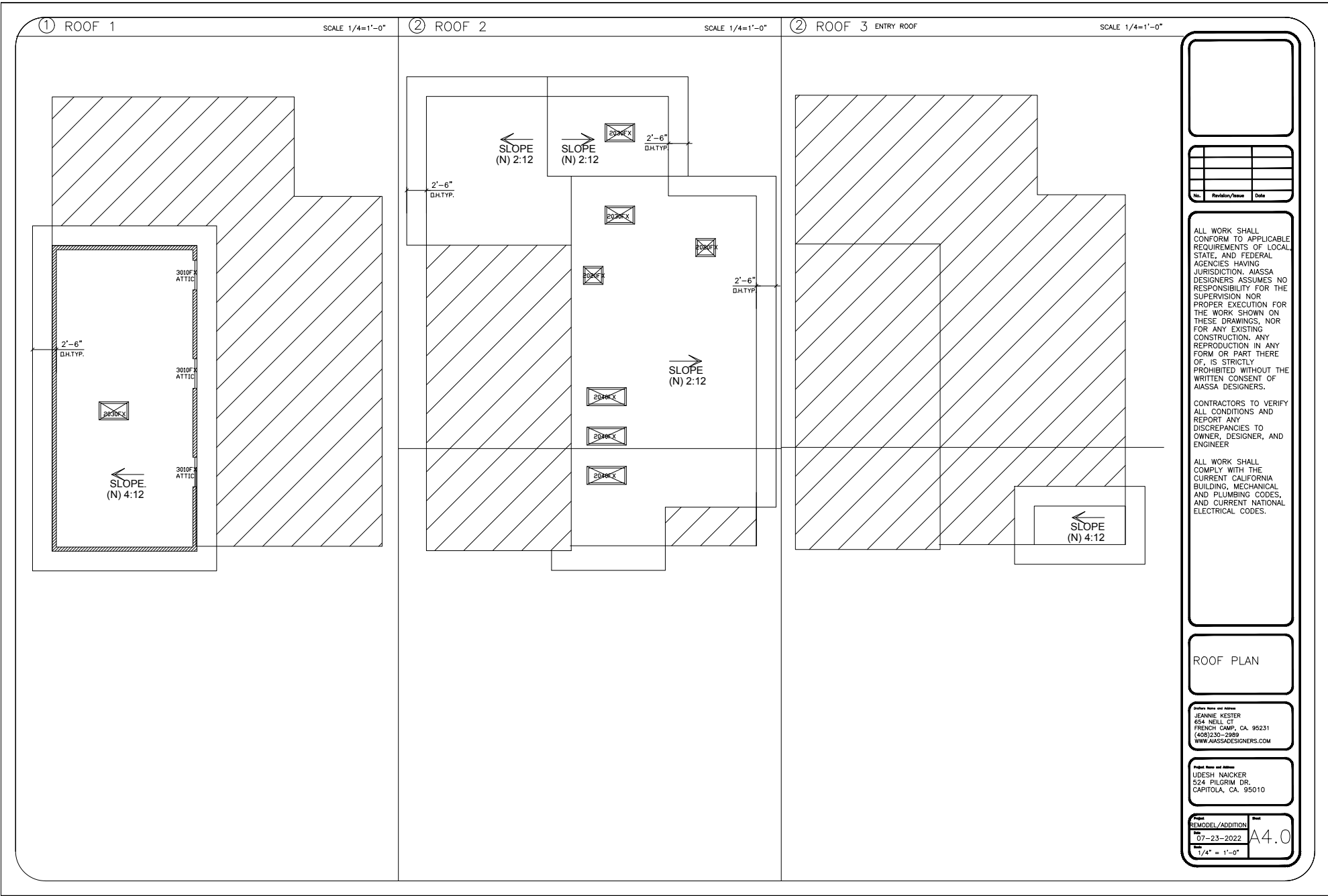
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ELEVATIONS

Author Name and Address:  
JEANNE WESTER  
654 NEILL CT  
FRENCH CAMP, CA. 95231  
(408)230-2889  
WWW.IAASSADESIGNERS.COM

Project Name and Address:  
UDESH NAIKKER  
524 PILGRIM DR.  
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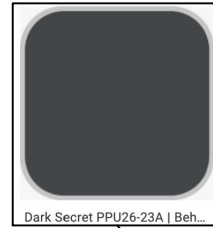
|         |                  |       |              |
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| Project | REMODEL/ADDITION | Sheet | A3.1         |
| Date    | 07-23-2022       | Scale | 1/4" = 1'-0" |



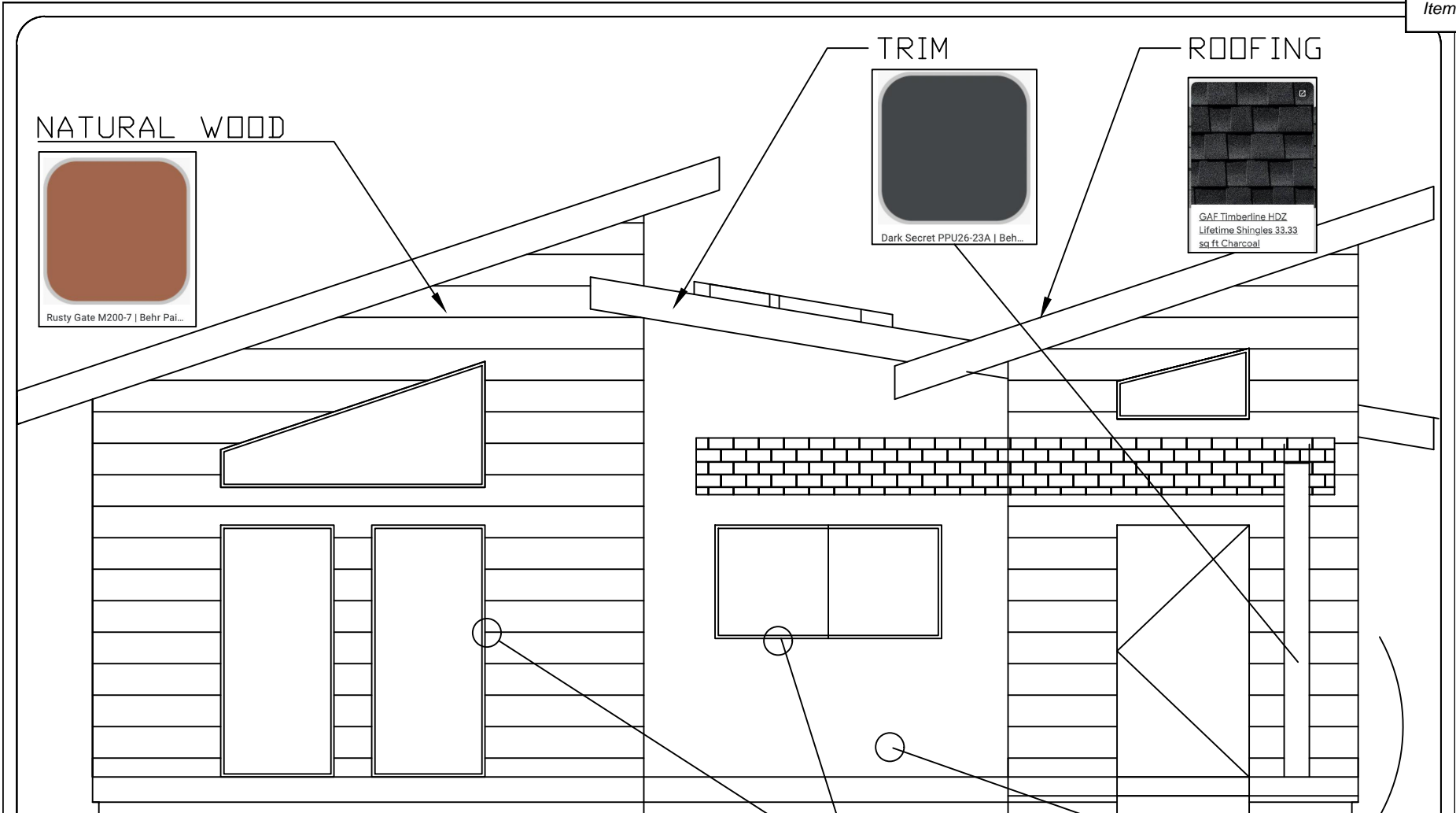
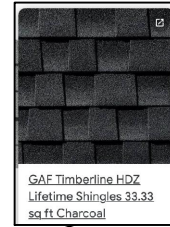
NATURAL WOOD



TRIM



ROOFING







COLOR SAMPLE  
UDESH NAICKER  
524 PILGRIM DR.  
CAPITOLA, CA. 95010

WINDOWS:  
BLACK  
TRIM



STUCCO  
ON FRONT,  
SIDES  
& REAR

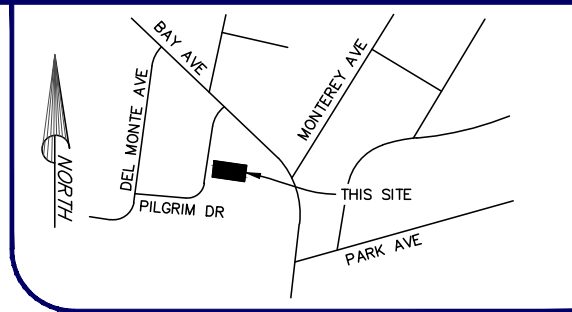


**LEGEND**

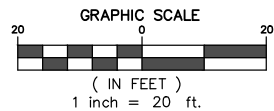
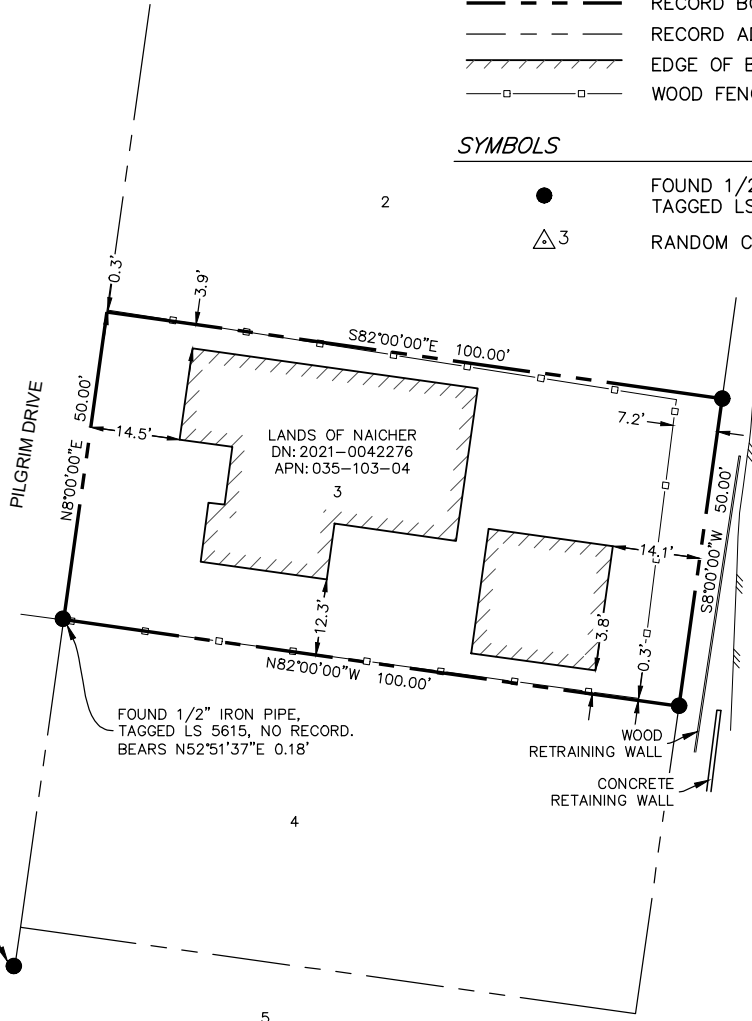
-  RECORD BOUNDARY LINE
-  RECORD ADJOINING BOUNDARY LINE
-  EDGE OF BUILDING
-  WOOD FENCE

**SYMBOLS**

-  FOUND 1/2" IRON PIPE, TAGGED LS 5418, OR AS NOTED
-  RANDOM CONTROL POINT W/#



VICINITY MAP  
NO SCALE



**NOTES:**

- 1) THE PURPOSE OF THIS MAP IS FOR TO SHOW FEATURES IN RELATION THE THE BOUNDARY AND THE CONTENT IS RELATIVE TO THE INTENDED USE. UNAUTHORIZED CHANGES OR ADDITIONS TO THE EXISTING DATA SHOWN ON THIS MAP IS STRICTLY PROHIBITED. ANY USES OF THIS MAP BEYOND THE STATED PURPOSE REQUIRES THE AUTHORIZATION OF HOGAN LAND SERVICES.
- 2) THIS MAP DOES NOT CONSTITUTE A BOUNDARY DETERMINATION BY THIS SURVEYOR. RECORD BOUNDARY LINES SHOWN ARE BASED ON EVIDENCE FOUND AS SHOWN FROM THE RECORD MAP CORNER RECORD DOCUMENT NUMBER 185, SANTA CRUZ COUNTY RECORDS.
- 3) HORIZONTAL CONTROL: IRON PIPES FOUND ON EASTERLY BOUNDARY BOUNDARY OF SUBJECT PARCEL (S8°00'00"W )

THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF UDESH NAICKER IN JUNE, 2022.

*[Handwritten Signature]* 6/2/22

ADAM S. RIVERA PLS 8451



**HOGAN LAND SERVICES**  
A CALIFORNIA CORPORATION  
2801 FIRST AVENUE SUIT B  
SOCIETY, CA 95073  
Tel: (831) 425-1617  
www.hoganlls.com

RETRACEMENT MAP

524 PILGRIM DRIVE  
CAPITOLA, CALIFORNIA

DATE:  
06/21/22  
JOB # 5619  
DRAWN BY:  
APR

1 OF 1

**524 Pilgrim Drive - #22-0327**  
**CONSTRUCTION COST BREAKDOWN PER Section 17.92.070**

| <u>Existing Building Costs:</u>                                | <b>APPLICANT COPY</b> |                             |
|--|-----------------------|-----------------------------|
| Existing Residence:  | 1267 square feet      | = \$ 253,400.00             |
|  | \$ 200.00 square foot |                             |
| Existing Garage:   | 0 square feet         | = \$ -                      |
|  | \$ 90.00 square foot  |                             |
| Existing Deck:   | 0 square feet         | = \$ -                      |
|  | \$ 25.00 square foot  |                             |
| <u>Total Existing Value:</u>                                   |                       | <u>\$ 253,400.00</u>        |
| <b>80% of Total Existing Value</b>                             |                       | <b>\$ 202,720.00</b>        |
| <br>   |                       |                             |
| <b><u>New Construction Costs:</u></b>                          |                       |                             |
| New Conditioned Space:   | 213 square feet       | = \$ 42,600.00              |
|  | \$ 200.00 square foot |                             |
| New Garage:  | 0 square feet         | = \$ -                      |
|  | \$ 90.00 square foot  |                             |
| New deck/porch:  | 0 square feet         | = \$ -                      |
|  | \$ 25.00 square foot  |                             |
| <u>Total New Construction Value:</u>                           |                       | <u>\$ 42,600.00</u>         |
| <br>   |                       |                             |
| <b><u>Remodel Costs: (50% of "new construction" costs)</u></b> |                       |                             |
| Remodel Conditioned Space:                                     | 1267 square feet      | = \$ 126,700.00             |
|  | \$ 100.00 square foot |                             |
| Remodel Garage:  | 0 square feet         | = \$ -                      |
|  | \$ 45.00 square foot  |                             |
| Remodel Deck:  | 0 square feet         | = \$ -                      |
|  | \$ 12.50 square foot  |                             |
| <u>Total Remodel Value:</u>                                    |                       | <u>\$ 126,700.00</u>        |
| <b><u>Total Construction/Remodel Cost</u></b>                  |                       | <b><u>\$ 169,300.00</u></b> |
| <b>% of Existing Value</b>                                     |                       | <b>66.8%</b>                |

# Capitola Planning Commission

## Agenda Report

**Meeting:** February 2, 2023

**From:** Community Development Department

**Address:** 203 Esplanade



**Permit Number:** 23-0046

**APN:** 035-211-04

Guidance on Emergency Coastal Development Permit and future Historic Alteration Permit for window replacement at Zelda's Restaurant

Environmental Determination: N/A

Property Owner: Jill Ealy, Zelda's Restaurant

Representative: Jill Ealy, Zelda's Restaurant

**Applicant Proposal:** Request for guidance on window replacement for the historic structure located at 203 Esplanade (Zelda's Restaurant) due to storm damage. The current proposal is to install a sliding window system within each of the three window sections on the sea facing facade. The sliding windows would look similar to the previous windows with the same ribbon design and the same number of window openings in each section.

**Background:** Zelda's Restaurant, located at 203 Esplanade, was severely damaged during the recent atmospheric river storms. The rear wall must be replaced due to the impacts of waves and debris on the structure. On January 25, 2023, Building Official Robin Woodman issued a demolition permit to remove portions of the existing rear wall for further investigative work by a structural engineer regarding stability of the building. The applicant is seeking an emergency coastal development permit to building the wall back and is seeking direction on an alteration to the window design of the historic structure.

**Discussion:** The structure at 203 Esplanade is included in Capitola's Historic Context Statement and included in the 2005 Historic Structures List; therefore, all modifications to an existing structure require approval of a historic alteration permit by the Planning Commission. The Community Development Director has the authority to sign off on Emergency CDPs but is requesting guidance on the proposed window replacement as the application will have to come back before Planning Commission for approval of a historic alteration permit.

The rear façade of Zelda's Restaurants previously had three sections of ribbon windows set side by side in groups of three and four windows creating a horizontal band. The window sections were separated by large ornate curved architectural supports, a character defining feature of the building.

The previously existing windows had been altered over time with varying dimensions and the removal of transom windows on the eastern end of the rear elevation. Capitola's Historic Context Statement does not include separate descriptions of each structure but describes the entire block of buildings from 199 Esplanade (Tacos Morenos) to 231 Esplanade (Margaritaville) as follows:

*"1999 – 231 Esplanade. Eclectic Capitola Esplanade. The Esplanade has evolved since the 1920's to its present configuration. This restaurant row is in a continual state of remodeling from changing ownerships and periodic storm damage. The Bandstand is the oldest continuing operation."*

During the recent storm, all windows except the two smaller windows at the west end of the elevation were destroyed. The proposed sliding window system will not be an in-kind replication and will introduce new materials but would look similar when viewed from a distance with the same number of windows in the same openings. The proposal includes several differences in window detail as follows:

- The windows to be four inches higher to align the lower sill with the table heights.
- The proposed windows would fill the area of the existing fixed windows plus the area of the previous transom windows above to create a single, larger window that occupies the same wall space.
- The wood framing of the previous windows were four inches wide between each window and now the proposed sliding windows have two- and 1/16-inch-wide aluminum mullions between window panels.

Staff contacted Architectural Historian Seth Bergstein of Past Consultants for preliminary feedback on the applicant's request. After reviewing a 1950s photo and a recent photo of the structure, Mr. Bergstein found that the windows have been altered over time. He also noted that the request is not for the primary façade but the secondary façade on the rear of the building, which allows more flexibility related to the Secretary of Interior Standards review. Mr. Bergstein suggested that alteration could be supported as long as the overall window spacing stayed consistent, which it does.

At the time of writing this report, the applicant was inquiring if a custom mullion could be produced to keep the consistency of the four-inch spacing between windows, which would address bullet #3 above. Staff is now requesting guidance from the Planning Commission on the proposal in preparation of issuing the emergency permit. Specifically, staff would like the Planning Commission to provide feedback on the following:

1. Can the lower sill height be raised?
2. Should a future application replicate the existing fixed windows with transoms above or incorporate the new sliding window system?
3. If there is support for a new window system, could the two- and 1/16-inch-wide aluminum mullions between window panels be utilized or should the application maintain a four inch separation either through a custom mullion or faux solid exterior finish?

**Recommendation:** Provide guidance on window replacement for historic structure located at 203 Esplanade.

**Attachments:**

1. Photo Comparison
2. Sliding Window Proposal
3. Sliding Window Details



Circa 1940 - 1960



2020



Transom  
Window to  
be removed



2 Remaining  
Windows



4-inch Trim  
Between  
Windows



Windows Sections to be  
Replaced with Sliding Windows



# SHANECO SHOWER DOOR & GLASS

Phone: 831-475-1597

**PROPOSAL #75, DETAIL REPORT version 2**

SHANECOGLOSS.COM

(Prices honored if received by Fleetwood by 1/31/2023)

ver: 2

**Quote# 75**



*Notes:* **Frames Only**

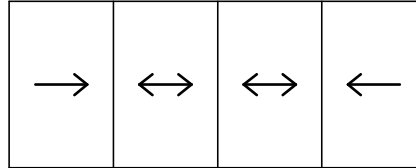
**ITEM: 1-0      SERIES 3070 XXXX**

*QTY*

Viewed from Exterior  
FRAMES ONLY  
NFW=180 x NFH=72

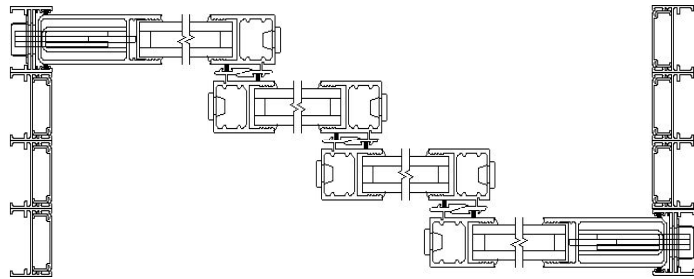
**2**

**Weight/lb:** 380.13      **Cube/ft:** 95.89



**Plan View**

| Option Name   | Option  |
|---|---|
| Caution:  | Keyed cylinder may collide with Interlocker       |
| <b>COMPONENTS</b>                                       | All (per configuration)                           |
| Customer  | Sillpan- spliced, field joined and sealed         |
| Customer  | No Hardware/Strike only                           |
| Customer  | Field sill pans allowed                           |
| Customer  | Field drains disallowed                           |
| Customer  | NFW does not include Sill Pan (1/4in.)            |
| Customer  | Consider frame fillers for improved weather perf. |
| Energy_Simulated  | U-Value:0.47_SHGC:0.08                            |
| Flush_Stack   | Yes_Stacks_to_Left                                |
| <b>Premium Features</b>                                 |   |
| Leak Protection Sill Pan                                |   |
| <b>Available Proprietary Features:</b>                  |   |
| ADC, AEP, AHL, ALH, ALP, ARS, ASP, ATI, FPA, FPP, SFD-3 |   |



**EXTERIOR**

- FRAMES ONLY!
- 1 inch glass shown
- Frame depth: 7.632 inches
- Review drawings online for additional dimensions
- CUSTOMER TO CONFIRM STACKING AND CONFIGURATION

\_\_\_\_\_ Date: \_\_\_\_\_

\*\*REQUIRED SIGNATURE:

**FLEETWOOD CERTIFIED PROPOSAL**

Item 5 A.

# SHANECO SHOWER DOOR & GLASS

Phone: 831-475-1597

## PROPOSAL #75, DETAIL REPORT version 2

SHANECOGLOSS.COM

(Prices honored if received by Fleetwood by 1/31/2023)

ver: 2

**Quote# 75**



*Notes:* **Frames Only**

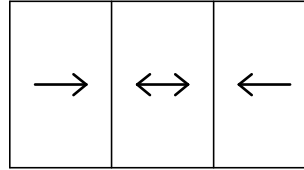
**ITEM: 2-0      SERIES 3070 XXX**

*QTY*

Viewed from Exterior  
FRAMES ONLY  
NFW=132 x NFH=72

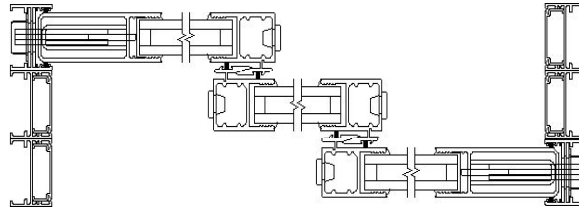
**1**

**Weight/lb:** 126.06      **Cube/ft:** 35.42



**Plan View**

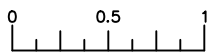
| Option Name   | Option  |
|---|---|
| Caution:  | Keyed cylinder may collide with Interlocker       |
| COMPONENTS  | All (per configuration)                           |
| Customer  | No Hardware/Strike only                           |
| Customer  | Field sill pans allowed                           |
| Customer  | Field drains disallowed                           |
| Customer  | NFW does not include Sill Pan (1/4in.)            |
| Customer  | Consider frame fillers for improved weather perf. |
| Energy_Simulated  | U-Value:0.49_SHGC:0.08                            |
| Flush_Stack   | Yes_Stacks_to_Left                                |
| <b>Premium Features</b>                                 |   |
| Leak Protection Sill Pan                                |   |
| <b>Available Proprietary Features:</b>                  |   |
| ADC, AEP, AHL, ALH, ALP, ARS, ASP, ATI, FPA, FPP, SFD-3 |   |



**EXTERIOR**

- FRAMES ONLY!
- 1 inch glass shown
- Frame depth: 5.724 inches
- Review drawings online for additional dimensions
- CUSTOMER TO CONFIRM STACKING AND CONFIGURATION

\*\*REQUIRED SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_



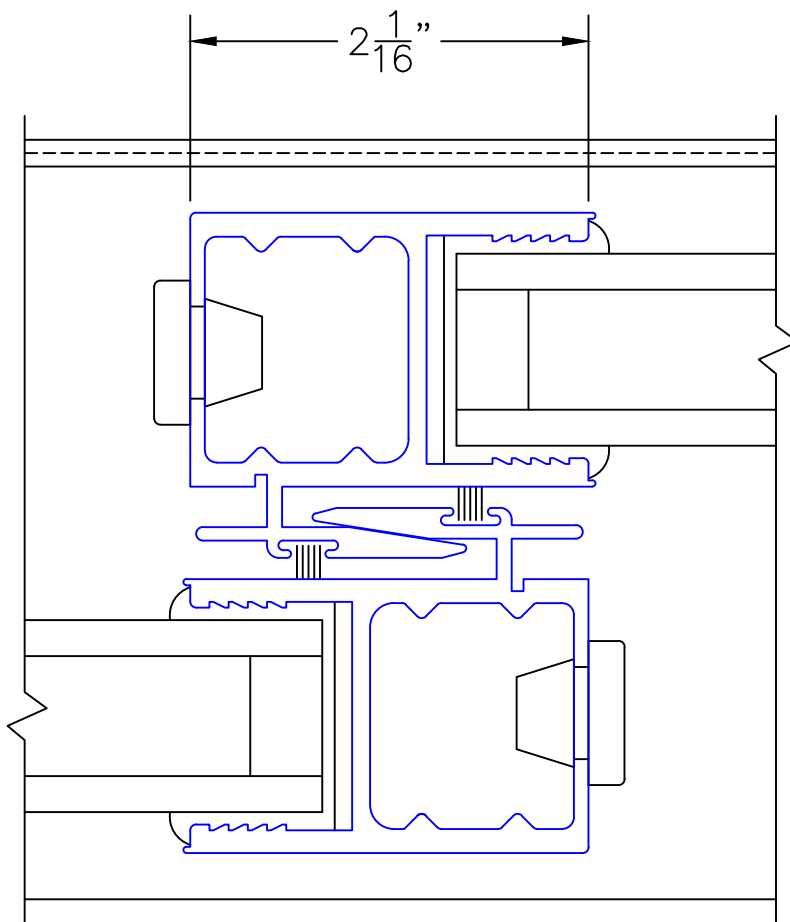
(USE RULER TO SCALE DIMENSIONS IN INCHES)

**SCALE: FULL**

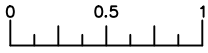
OX DOOR

7

INTERLOCKERS



EXTERIOR



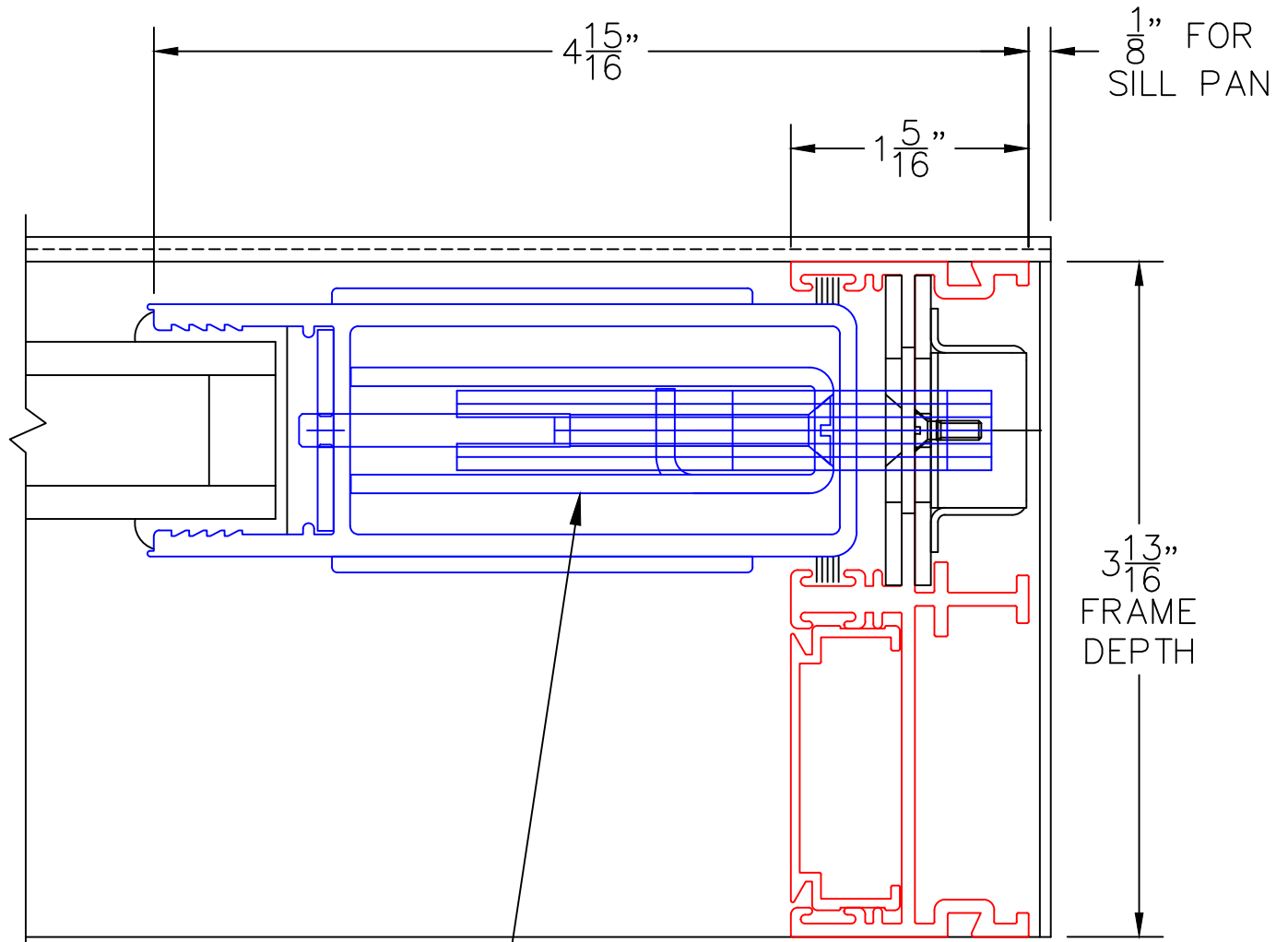
(USE RULER TO SCALE DIMENSIONS IN INCHES)

**SCALE: FULL**

OX DOOR

8

LOCK JAMB



ARCHETYPE LATCH WITH  
FLUSH PULL HANDLES

EXTERIOR

# Capitola Planning Commission

## Agenda Report

**Meeting:** February 2, 2023  
**From:** Community Development Department  
**Topic:** 117 Saxon Avenue



**Permit Number: #22-0484**

**APN: 036-131-01**

Design Permit to legalize an internal attic conversion located in the R-1 (single-family) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15301(a)

Property Owner: John Shenk

Representative: John Shenk, Filed: 10.18.22

### **Applicant Proposal:**

The applicant is seeking permits for a 574 square foot attic space that was converted to habitable space without benefit of permits. The proposed project is entirely internal, however, requires Planning Commission review as a Design Permit per Section 17.120.030. The attic conversion was reported to city staff as a possible code violation in late 2021. The property owner has cooperated with staff and continued to work toward a remedy in preparing plans and submitting for permit review (Attachment 1 – Project Plans).

### **Background:**

On December 17, 2021, the Planning Department received a written complaint noting that there appeared to be an attic that was converted to habitable space. The complainant further stated privacy concerns regarding a window in the attic.

On March 15, 2022, the Planning Department notified the property owner of the reported violation and that no permits or tax assessor documentation of the attic space were found in city or county records. City records from 1990 show that a prior owner had proposed an attic conversion in the same space and the subject project. That permit request was ultimately withdrawn. As part of the 1990 record, city staff at the time did acknowledge that the existing detached accessory dwelling unit (ADU) on the property was existing and was allowed to remain (Attachment 2).

On October 18, 2022, the applicant made a formal submittal for a Design Permit to remedy the complaint and obtain permits for the attic conversion.

On January 23, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: noted that there is no change to storm water conditions and that standard Public Works conditions would apply.



Building Official, Robin Woodman: noted that the prefabricated stairway would need to meet current code. Also noted was concern with ceiling height in the bathroom, door opening widths, and that there would likely need to be a selective demolition to open walls and inspect construction.

Senior Planner, Brian Froelich: had no comments.

### Development Standards:

The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District.

| Lot Standards  |  |  |  |
|--|--|--|--|
|  | Existing                                   |  | Proposed                                   |
| <b>Lot Size</b>  | 4,000 sq. ft.                              |  | 4,000 sq. ft.                              |
| <b>Max Floor Area Ratio</b>                                      | 54% (Max 2,160 sq. ft.)                    |  | 54% (Max 2,160 sq. ft.)                    |
| Primary Dwelling Unit  | 1,691 sq. ft.                              |  | 1,691 sq. ft.                              |
| Detached ADU   | 429 sq. ft.                                |  | 429 sq. ft.                                |
| <b>TOTAL FAR</b>   | 53% (2,120 sq. ft.)                        |  | 53% (2,120 sq. ft.)                        |
| <b>Habitable Floor Area</b>                                      | 1,546 sq. ft.                              |  | 2,160 sq. ft.                              |
| Parking  |  |  |  |
|  | Required                                   | Existing                                   | Proposed                                   |
| Residential (Between 2,001-2,600 sq. ft.)                        | 3 spaces total<br>1 covered<br>2 uncovered | 0 spaces total<br>0 covered<br>0 uncovered | 0 spaces total<br>0 covered<br>0 uncovered |
| <b>Underground Utilities: required with 25% increase in area</b> |  |  | No   |
| Development Standards – Primary Residence                        |  |  |  |
|  | R-1 Regulation                             | Existing                                   | Proposed                                   |
| <b>Maximum Height</b>  | 25 ft.                                     | 25 ft. 5 in.<br>(nonconforming)            | No change                                  |
| <b>Front Yard 1<sup>st</sup> Story</b>                           | 15 ft.                                     | 5 ft.<br>(nonconforming)                   | No change                                  |
| <b>Side Yard street</b>  | 10 ft.                                     | 8 ft.<br>(nonconforming)                   | No change                                  |
| <b>Side Yard interior</b>  | 4 ft.                                      | 3 ft. 8 in.<br>(nonconforming)             | No change                                  |
| <b>Rear Yard 1<sup>st</sup> / 2<sup>nd</sup> Story</b>           | 20 ft.                                     | 46 ft.                                     | No change                                  |

### Discussion:

The existing primary residence at 117 Saxon Avenue is a 1,691 square-foot, two story, single-family residence. The home is a cottage craftsman style with a low pitched dormer and offset recessed entry built in 1910. The residence is listed in the city's 1986 Architectural Survey and 2005 Historic Structures List. The proposed project does not involve exterior changes and does not require a Historic Alteration Permit per Section 17.84.070.

### Code Analysis

The proposed project is a remedy to an interior renovation project that involved converting an attic space to habitable area without permits. The project requires a Design Permit and Planning Commission review per Section 17.120.030. Additionally, the Zoning Code requires single-family zoned properties to bring parking into compliance when greater than 10% of floor area is added and the property currently provides no onsite parking. The difference with this project is that the

addition is not an addition of floor area, but rather, an addition of habitable space within existing floor area, which does not necessitate providing additional parking. This determination required an in-depth review of several sections of the Zoning Code. Please find the code sections and staff analysis below.

### 1. Process

#### **17.120.030 When (a Design Permit is) required**

A. Types of Projects. The types of projects that require a design permit, and the type of design permit for each project, are listed in Table 17.120-1.

- Upper-floor additions to an existing single-family home requires approval of a Design Permit by the Planning Commission.

#### **17.160.020 Definitions**

A 5. Addition” means any development or construction activity that expands the footprint or increases the habitable floor area of a building.

Staff Analysis: The proposed scope of work does not increase the footprint or volume of the existing structure but does increase the interior habitable floor area. A Design Permit is required.

### 2. Floor Area and Habitable Space

#### **17.160.020 Definitions**

F 4. “Floor area” means the sum of the horizontal areas of all floors of an enclosed structure, measured from the outside perimeter of the exterior walls as described in Section 17.48.040 (Floor area and floor area ratio).

H 1. “Habitable space” means an area within a building that is conditioned (heated or cooled) with a finished floor and a ceiling height of at least seven feet six inches. Excludes unfinished attics, cellars, crawl spaces, and other similar utility areas.

Staff Analysis: The Zoning Code Glossary distinguishes between Floor Area and Habitable Space. The original attic space would be included in the definition of floor area as originally constructed. The proposed project does not include any floor area additions by definition, but includes modification of existing floor area to be converted to habitable space.

### 3. Parking

#### **17.76.020 Applicability**

This chapter establishes parking requirements for three development scenarios: establishment of new structures and uses, replacement of existing uses, and expansion and enlargement of existing structures and uses.

C. Expansions and Enlargements.

2. Residential Use. For an existing structure with a residential use, the full amount of parking to serve the use is required when the floor area is increased by more than ten percent. (Ord. 1043 § 2 (Att. 2), 2020)

Staff Analysis: The proposed project does not add floor area and is not required to provide the full amount of parking.

#### Parking

The proposal requires no parking upgrades or improvements based on the cited code sections.

### Window and Privacy

The original code complaint noted concern with privacy from a single window in the attic space located on the South façade. Planning staff researched property records to understand if the subject window was part of the original construction or other records and could not verify when the window was installed. Mitigation of second story windows where there could be a privacy impact is within Planning Commission purview during review of Design Permits. Specifically, Section 17.120.070 F states:

Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.

The window is the primary source of natural light in the attic space and the only standard size window in that space. However, regardless of whether the window existed originally or not, the proposed conversion to habitable space activates the area with potential for new privacy impacts creating a nexus to require mitigation of the impact. Additionally, the building wall with the window has a nonconforming setback from the property line. For these reasons, planning staff is recommending that the attic window at the South elevation be frosted or etched from the sill to the check rail (bottom half). This will address both the known privacy concern and allow for natural light in the room (condition 13).

The applicant has communicated to planning staff disagreement with this condition and plans to provide exhibits prior to the Planning Commission meeting demonstrating that several other two story properties in the area have clear second story windows.

### **CEQA:**

Section 15301(a) of the CEQA Guidelines exempts interior alterations to existing structures such as partition walls, plumbing, and electrical. This project involves an interior conversion of an existing attic space in the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

### **Recommendation:**

Staff recommends the Planning Commission **approve** application #22-0484 with the following Conditions and Findings for Approval.

### **Attachments:**

1. Project Plans
2. Memo acknowledging the ADU - 1990

### **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. 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. 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

### **Planning**

4. The project approval consists of conversion of a 574 square-foot attic space to habitable area within the single-family residence. The maximum Floor Area Ratio for the 4,000-square-foot property is 54% (2,160square feet). The total FAR of the project is 53% with a total of 2,120 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 February 2, 2022, except as modified through conditions imposed 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 #22-0484 shall be paid in full.

11. The applicant may be required to perform demolition work associated with bringing the attic conversion up to current Building Code standards. This includes but is not limited to door openings, fenestration, stairways, walls and ceilings.
12. Plans submitted for Building Permit plan check shall include a reflected ceiling plan or sufficient section drawings to determine ceiling heights within the attic space.
13. The permanent attic window at the South elevation shall be frosted, etched or similar opaque treatment acceptable to the Community Development Director from the sill to the check rail (bottom half). This condition shall be completed prior to final inspection. Prior to the permanent attic window being installed, a opaque film shall be affixed to the glass of the existing window from the sill to the check rail (bottom half) by February 9, 2023.

### **Public Works**

14. Submit a temporary construction sediment and erosion control plan (construction bmp's), including The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
15. Site runoff shall not drain onto the adjacent parcels.
16. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work.
17. No material or equipment storage may be placed in the road right-of-way.

### **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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 574 square-foot attic conversion and it 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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 574 square-foot attic conversion and it complies with all 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 15301(a) of the CEQA Guidelines exempts interior alterations to existing structures such as partition walls, plumbing, and electrical. This project involves an interior conversion of an existing attic space in the R-1 (Single-Family Residential) zoning district. 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 Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 574-square-foot attic conversion, as conditioned, 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).**

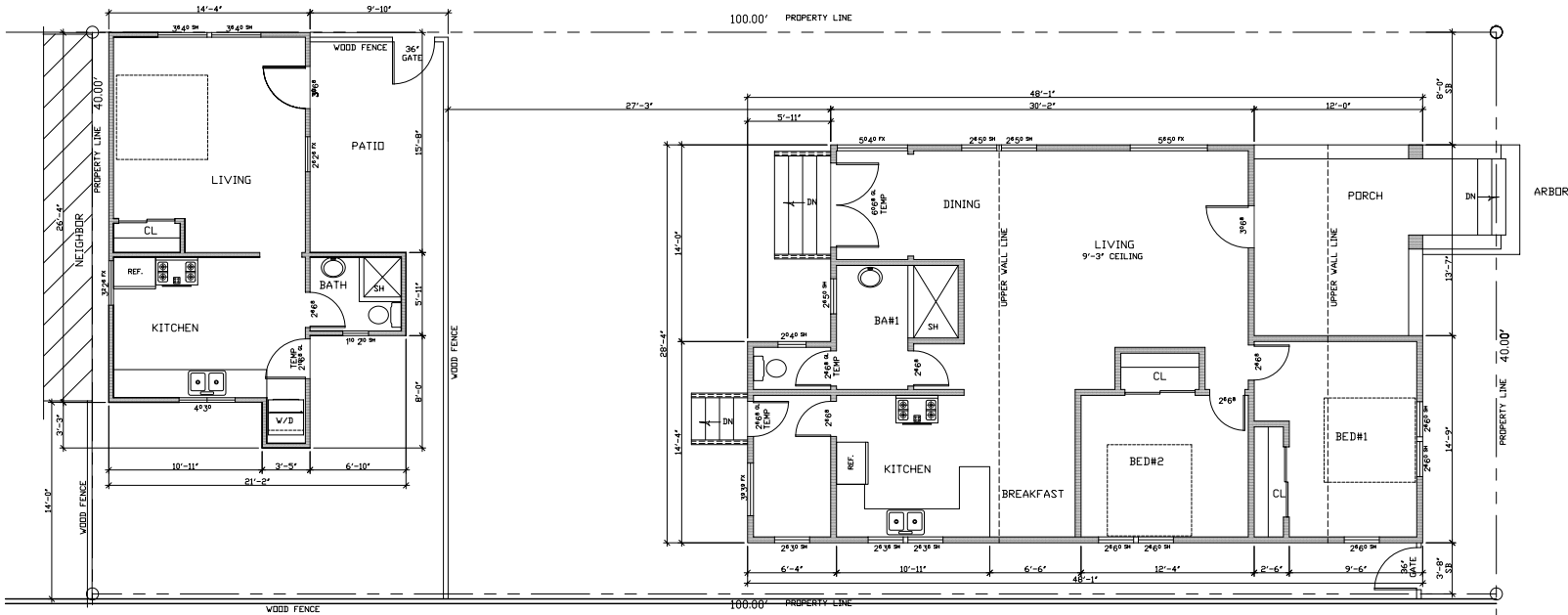
Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The 574 square-foot attic conversion complies with the applicable design review criteria as described in the staff report. A project specific condition was added to address potential privacy impacts.

**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 574 square-foot attic conversion. The exterior design of the home remains unchanged and maintain an unchanged aesthetic in the neighborhood. The project has no impact on character, scale, and development pattern of the neighborhood.

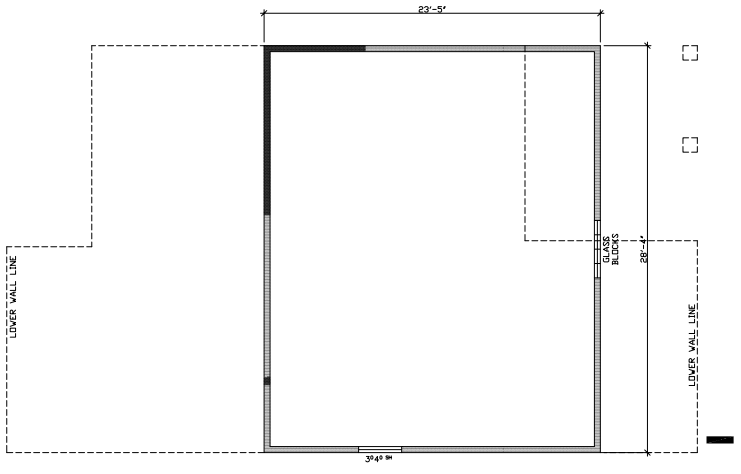
Prepared by: Brian Froelich





COTTAGE

FIRST FLOOR PLAN



SECOND FLOOR PLAN

EXISTING S.F.  
 1ST FLOOR LIVING = 1,117 S.F.  
 2ND FLOOR LIVING = 0 S.F.  
 TOTAL HOUSE LIVING = 1,117 S.F.  
 COTTAGE = 09 S.F.  
 TOTAL LIVING = 1,246 S.F.

**FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

| REVISIONS: | BY: |
|------------|-----|
|            |     |
|            |     |
|            |     |
|            |     |

OWNER:  
 JOHN SHENK  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 408-242-9052

SHENK RESIDENCE  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 APN 036-131-01

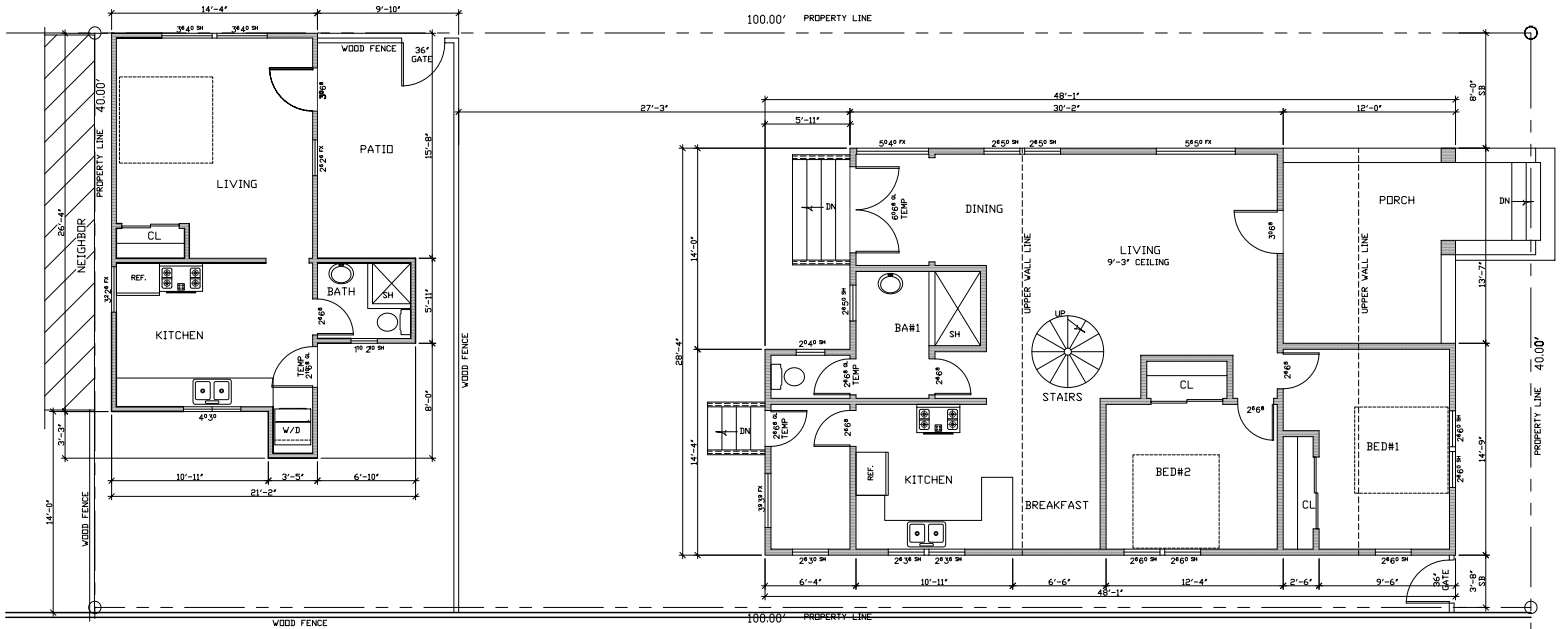
**DENNIS NORTON**  
 HOME DESIGN AND PROJECT PLANNING  
 710 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010  
 PHONE: 408-242-9052  
 WEBSITE: www.dennisonnortondesign.com

**EXISTING FLOORPLAN**

DRAWN: GG  
 SCALE: 1/4" = 1'-0"  
 JOB NO: SAXON  
 DATE: 06/28/22

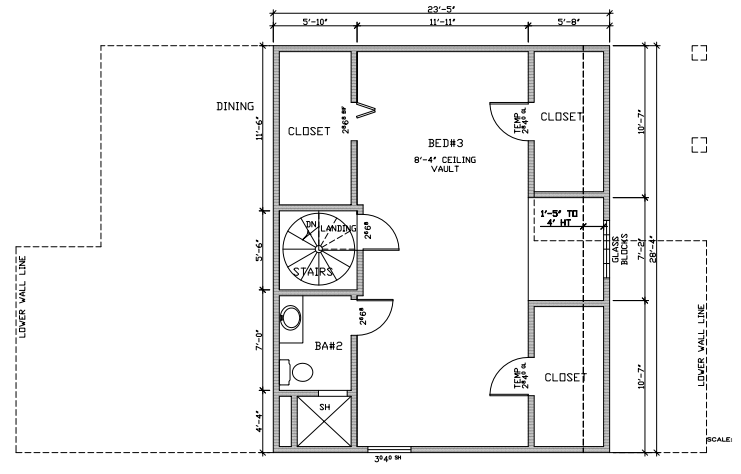
SHEET  
**2**  
 OF # SHEETS





COTTAGE

FIRST FLOOR PLAN



SECOND FLOOR PLAN

PROPOSED S.F.  
 1ST FLOOR LIVING = 1,117 S.F.  
 2ND FLOOR LIVING = 1,262 S.F.  
 TOTAL HOUSE LIVING = 2,379 S.F.  
 COTTAGE = 629 S.F.  
 TOTAL LIVING = 3,008 S.F.

**FLOOR PLAN**  
 SCALE: 1/4"=1'-0"

| REVISIONS: | BY: |
|------------|-----|
|            |     |
|            |     |
|            |     |
|            |     |

OWNER:  
 JOHN SHENK  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 408-242-9050

SHENK RESIDENCE  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 APN 036-131-01

**DENNIS NORTON**  
 HOME DESIGN AND PROJECT PLANNING  
 712 C CAPITOLA AVENUE CAPITOLA, CALIFORNIA 95010  
 PHONE: 408-242-9050  
 WEBSITE: www.dennisonortondesign.com

**PROPOSED FLOORPLAN**


DRAWN: GG  
 SCALE: 1/4"=1'-0"  
 JOB NO: SAXON  
 DATE: 06/28/22

SHEET  
**3**  
 OF # SHEETS



SOUTH ELEVATION

SCALE:

NOTE:  = TEMPERED GLASS

| REVISIONS: | BY: |
|------------|-----|
|            |     |
|            |     |
|            |     |
|            |     |
|            |     |

OWNER:  
 JOHN SHENK  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 408-242-9052

SHENK RESIDENCE  
 117 SAXON AVE  
 CAPITOLA, CA 95010  
 APN 036-131-01

**DENNIS NORTON**  
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 715 CAPITOLA AVENUE CAPITOLA, CALIFORNIA 95010  
 PHONE: 408-242-9052  
 WEBSITE: www.dennisnortondesign.com

  
 ELEVATION

DRAWN: GG  
 SCALE: 1/4" = 1'-0"  
 JOB: SAXON  
 DATE: 09/20/22

SHEET  
 4  
 OF # SHEETS

C I T Y O F C A P I T O L A

Office of the

Planning Director

## M E M O R A N D U M

TO: The Planning Commission

FROM: The Planning Director *JCT*

SUBJECT: Application AS/90-69 for a remodel of an existing single family residence at 117 Saxon Avenue

BACKGROUND:

At the meeting of September 6th, the Commission approved the remodel and addition to the house, with the condition that the second unit on the property be removed and that parking be provided. The applicant is withdrawing his application at this time, and will not go forward with the project.

The applicant has submitted a letter explaining the work to be done on the property. This work only requires building permits and does not require any planning approval. Some of the required permits are issued for the foundation and electrical work.

As a result of this work, the main house will be reconstructed without providing any parking and the guest house will not be removed. It is regrettable that this project was started, but at this time, the appropriate action is to resolve the situation fairly.

STAFF RECOMMENDATION:

With the application to add square footage to the house withdrawn by the applicant, along with the fact that there will be no exterior modifications to the building, the planning commission has no grounds for action.

ACTION REQUIRED:

No action required. This item is informational only.

attachments

# Capitola Planning Commission

## Agenda Report



**Meeting:** February 2, 2023  
**From:** Community Development Department  
**Topic:** 1555 Lincoln Avenue

**Permit Number: #21-0561**

**APN: 034-041-13**

Design Permit, Historical Alteration Permit, and Variance for additions to a historic single-family residence and the demolition of a non-historic accessory structure within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15331 and 15332

Property Owner: Suzie Gleeson and Tara Zorovich

Representative: Peter Spellman

### **Applicant Proposal:**

The applicant is proposing to construct 784 square-feet of first- and second-story additions to an existing single-family residence located at 1555 Lincoln Avenue within the R-1 (Single-Family Residential) zoning district. The application includes a variance to the minimum required covered parking dimensions and the structural alteration limit for non-conforming structures ("non-conforming construction calculation").

### **Background:**

On December 12, 2022, architectural historian Seth Bergstein provided a final project review letter of the *Secretary of the Interior's Standards for Rehabilitation* (Standards) evaluating the proposed remodel.

On January 11, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: noted that prior building final the applicant must repair any cracked or damaged curbs and gutters in front of their property.

Building Official, Robin Woodman: noted that fire-rated walls will be necessary on additions within four feet of the property line. Ms. Woodman also noted a pre-construction site inspection may be required to assess structural condition and discuss construction methods.

Associate Planner, Sean Sesanto: discussed the scale of rehabilitation with respect to the non-conforming construction cost calculation and whether or not the variance request would need to include an exception from the non-conforming code requirements. Mr. Sesanto discussed tree replacement requirements and a pre-construction site inspection.

Following the Development and Design Review meeting, the applicant revised the variance request to include a request for the Construction Cost Calculation.

**Development Standards:**

The following table outlines the zoning code requirements for development in the R-1 (Single-family Residential) zoning district. The applicant is seeking a variance to the minimum covered parking space dimensions.

| <b>Building Height</b>   |   |                                    |  |   |
|--|---|------------------------------------|--|---|
| <b>R-1 Regulation</b>  | <b>Existing</b>   |                                    | <b>Proposed</b>  |   |
| 25 ft.   | 24 ft.  |                                    | 24 ft.   |   |
| <b>Floor Area Ratio (FAR)</b>                                    |   |                                    |  |   |
|  | <b>Existing</b>   |                                    | <b>Proposed</b>  |   |
| <b>Lot size</b>  | 3,200 sq. ft.   |                                    | 3,200 sq. ft.  |   |
| <b>Maximum Floor Area Ratio</b>                                  | 57% (Max 1,824 sq. ft.)   |                                    | 57% (Max 1,824 sq. ft.)                                    |   |
| First Story Floor Area   | 625 sq. ft.   |                                    | 1,012 sq. ft.  |   |
| Second Story Floor Area  | 416 sq. ft.<br><i>25 sq. ft. exempt</i>   |                                    | 813 sq. ft.<br><i>25 sq. ft. exempt</i>                    |   |
| Accessory Structure  | 175 sq. ft.   |                                    | Demolished   |   |
| <b>Total FAR</b>   | 38.1% (Max 1,219 sq. ft.)   |                                    | 57% (Max 1,824 sq. ft.)                                    |   |
| <b>Setbacks</b>  |   |                                    |  |   |
|  | <b>R-1 regulation</b>   |                                    | <b>Existing</b>  | <b>Proposed</b>   |
| <b>Front Yard 1<sup>st</sup> Story</b>                           | 15 ft.  |                                    | 18 ft. 4 in.   | 18 ft. 4 in.  |
| <b>Front Yard 2<sup>nd</sup> Story &amp; Garage</b>              | 20 ft.  |                                    | Main: 18 ft. 4 in.<br>Balcony: 12 ft. 2 in.<br>Garage: N/A | Main: 18 ft. 4 in.<br>Balcony: 12 ft. 2 in.<br>Garage: 28 ft. 10 in.<br><b>Existing nonconforming</b> |
| <b>Side Yard 1<sup>st</sup> Story</b>                            | 10% lot width   | Lot width<br>40<br>4 ft. min.      | North: 3 ft. 6 in. ft.<br><br>South: 18 ft. 1 in.          | North: 3 ft. 6 in. ft.<br><b>Existing nonconforming</b><br>South: 6 ft.                               |
| <b>Side Yard 2<sup>nd</sup> Story</b>                            | 15% of width  | Lot width<br>40<br>6 ft. min.      | North: 3 ft. 6 in. ft.<br><br>South: 18 ft. 1 in.          | North: 3 ft. 6 in. ft.<br><b>Existing nonconforming</b><br>South: 6 ft.                               |
| <b>Rear Yard 1<sup>st</sup> Story</b>                            | 20% of parcel depth   | Lot depth<br>80 ft.<br>16 ft. min. | 27 ft. 3 in.   | 23 ft. 3 in.  |
| <b>Rear Yard 2<sup>nd</sup> Story</b>                            | 20% of parcel depth   | Lot depth<br>80 ft.<br>16 ft. min. | 33 ft. 4 in.   | 23 ft. 3 in.  |
| Encroachments (list all)   | The existing structure encroaches into the require north-side setbacks on both stories and the front setback on the second story. |                                    |  |   |
| <b>Parking</b>   |   |                                    |  |   |
| 1,501 – 2,000 sq. ft   | <b>Required</b>   |                                    | <b>Existing</b>  | <b>Proposed</b>   |
|  | 2 spaces total<br>1 covered<br>1 uncovered  |                                    | 1 spaces total<br>1 covered<br>0 uncovered                 | 2 spaces total<br>1 covered<br><b>Variance Required</b><br>1 uncovered                                |
| <b>Underground Utilities: Required with 25% increase in area</b> |   |                                    |  | Required  |

**Discussion:**

The existing residence at 1555 Lincoln Avenue is a historic, one-story, single-family residence located in the Jewel Box neighborhood near Wharf Road and is surrounded by one- and two-story single-family residences. The home is listed on the 1986 Capitola Architectural Survey for historic structures.

**Design Permit**

The applicant is proposing approximately 387 square-feet of first-story additions and 397 square-feet of second-story additions. The project includes removing a circa-1920 rear addition, adding a new attached garage, and demolishing a large accessory structure behind the residence. Exterior finishes on new sections include differentiated horizontal board siding, divided lite windows, and a clipped gable roof with matching composition shingle. The altered siding widths, along with the recessed garage, and clipped gable roof are intended to differentiate the design of the additions from the historic structure while providing relief to the original structure and limiting a 'wrap-around' effect. With the exception of the internal parking dimensions, the additions comply with the development standards for the R-1 zoning district as well as applicable *Design Review Criteria* (Attachment 6).

**Historic Alteration Permit**

The project involves substantial alterations to the existing historic structure and therefore requires approval of a Historic Alteration Permit by the Planning Commission. Also, historic resources are identified as environmental resources within the California Environmental Quality Act (CEQA). Any modification to a historic resource must comply with the Secretary of Interior Standards to qualify for a CEQA exemption.

The residence is estimated to have been constructed around 1890 in the Greek Revival architectural style. A single-story shed-roof addition was constructed in the rear around 1920. Architectural Historian Seth Bergstein evaluated the proposed design for compatibility with the *Secretary of the Interior's Standards for Rehabilitation* (Attachment 5), including the identification of character-defining features. Mr. Bergstein cited *Standards 2, 5, and 9* as most applicable to the project for the preservation of character-defining features and compatibility of new additions and exterior alterations. Also included were recommendations to limit alterations to significant elements and visibility. Although numerous features have been replaced or modified, the structure still retains a number of character-defining features, including:

- Steeply pitched gable roof.
- Roof wood details including wide cornice boards, wide fascia boards and cornice returns.
- Wood details including wall corner boards, wood window surrounds and wood details on first floor of front and primary (east) elevation.
- Original entrance with top lights, sidelights and wood door surrounds.
- Clapboard wall cladding.

The applicant revised the original plan based on recommendations by staff and the architectural historian. Specifically, the proposed garage was reduced in height and forward projection to allow retention of the existing historic south-elevation window opening, massing of the rear addition was reduced by extending the addition rearward and clipping the corners of the new roofline, the size of the south-elevation dormer was reduced, and proposed window replacements will be with wood-sash windows. Mr. Bergstein provided a final review letter, dated December 12, 2022, with findings that the current design is consistent the *Standards* for historic rehabilitation (Attachment 4).

Non-Conforming Structure

The existing single-family dwelling does not comply with minimum required first- and second-story side setbacks along the north property line and does not comply with the second-story front setbacks for the conditioned space and balcony; and therefore, is a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure.

Staff estimates that the project cost represents at approximately 80 percent of the present fair market value of the structure based on the City formula. As the valuation does not always represent the physical extent of work necessary, especially in older structures, the applicant is pursuing a variance for the construction cost limitations to avoid complications at the building permit stage.

Variance

The applicant is seeking approval of a variance to the alteration limit of 80 percent of the present fair market value for non-conforming structures. The applicant is also seeking approval of a variance for the minimum required parking dimensions for a 9-foot, 5-inch wide by 17-foot, 8-inch deep garage. Internal parking spaces are required to be a minimum of 10-feet by 20-feet.

Pursuant to §17.128.060, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

**A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: There are unique circumstance applicable to the subject property includes a historic residence which is protected within the municipal code and under CEQA. The non-conforming aspects of the structure represent original portions of the residence, significantly the front elevation, and will be preserved as a result of the variance. Allowing reduced parking dimensions for the garage space enables the project to provide covered parking space as is required while limiting the new massing near the front of the structure and preserving an existing window placement near the front corner.

**B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The proposed modifications comply with all height, setback, and FAR requirements. The strict application of the zoning code requirements for non-conforming structures and covered parking dimensions while also complying with local and state requirements for historic preservation would deprive the subject property of development alternatives typically available to other properties in the same zone, such as demolition.

**C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance is necessary to preserve the ability to construct additions in a manner consistent with current development standards and the Secretary of the Interior's Standards for preservation.

**D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance will not impose any detrimental impacts on the public health, safety, or welfare, or be injurious to properties or improvements in the vicinity or in the same zone as the subject property. The variance enables the project to provide the required number parking spaces while preserving historically significant portions of the structure and limit the massing of new portions of the residence.

**E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance does not grant privileges in excess of the objective development standards applicable to all properties in the vicinity and the within the same zone. The variance allows the property to expand a structure without addressing an existing nonconformity due to its historic status. In 2014 and again in 2022, similar variances were granted at 124 Central Avenue and 216 Central Avenue, respectively, for additions to non-conforming historic structures. Both projects included alterations greater than 80 percent of the fair market value.

**F. The variance will not have adverse impacts on coastal resources.**

Staff Analysis: The variance will not adversely impact coastal resources.

Trees

The applicant is proposing to remove up to six smaller trees located along the southern property boundary, four of which are subject to the City's tree ordinance. A more prominent oak tree in the front yard is proposed to remain. The site also includes a number of trees lining the rear yard which will also remain. Staff estimates the remaining canopy coverage of the lot to be 25%, exceeding the minimum canopy coverage of 15% as required for removals associated with development applications. Therefore, staff did not include a condition requiring replacement trees.

**CEQA:**

Section 15331 and 15332 of CEQA Guidelines. Section 15331 exempts projects involving historical resources that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The proposed alterations have been found consistent with the *Standards* for the rehabilitation. Section 15332 exempts in-fill development projects which meet all conditions within the exemption. The project involves additions to an existing single-family residence and subject to the R-1 (single-family residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project. The project has been reviewed and found to be consistent with Section 15300.2(f) regarding modifications to historical resources.

**Recommendation:**

Staff recommends the Planning Commission **approve** the application #21-0561 based on Conditions and Findings for Approval.



**Attachments:**

1. 1555 Lincoln Avenue – Plan Set & Color and Material Information
2. 1555 Lincoln Avenue – Variance Request
3. 1555 Lincoln Avenue – Construction Cost Calculation
4. 1555 Lincoln Avenue – Final SOI Standards Review Letter
5. 1555 Lincoln Avenue – Preliminary Review Letter
6. Design Permit Design Review Criteria

**Conditions of Approval:**

1. The project approval consists of 387 square-feet of first-story additions and 397 square-feet of second-story additions to a historic, non-conforming residence. The maximum Floor Area Ratio for the 3,200 square foot property is 57% (1,824 square feet). The total FAR of the project is 57% with a total of 1,824 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 February 2, 2023, 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 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.
5. 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.
6. 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.
7. 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.

8. 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.
9. Prior to issuance of building permit, all Planning fees associated with permit #21-0561 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.
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.
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. 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.
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.
24. Prior to issuance of a building permits, the applicant shall submit a preservation plan to the satisfaction of the Community Development Department. In addition to the following Condition, the plan shall specify differentiation of new horizontal boards from the existing horizontal board width.
25. Secretary of the Interior's Standards and Guidelines for preservation, rehabilitation, restoration, or reconstruction shall be followed.
  - a. Prior to the remodel of the historic residence, the applicant shall catalog all existing details of the structure. Once the existing structure is ready to be remodeled, the applicant is required to have an inspection by the City Planner and Building Inspector to ensure all existing materials are documented in accordance with the preservation plan. Existing materials must be stored in a weatherproof area.
  - b. Any removal of existing building materials or features on historic buildings shall be approved by the Community Development Department prior to removal.
  - c. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.

## 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 and the Planning Commission have reviewed the proposed project. With the granting of a variance to the non-conforming construction calculation and the covered parking space dimensions, the project secures the purpose of the General Plan, and Local Coastal Program, and design policies and regulations adopted by the City Council.

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

Community Development Staff and the Planning Commission have reviewed the proposed project. With the granting of a variance to the non-conforming construction calculation and the covered parking space dimensions, the project complies with all applicable provisions of the zoning code and municipal code.

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

Section 15331 and 15332 of CEQA Guidelines. Section 15331 exempts projects involving historical resources that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The proposed alterations have been found consistent with the *Standards* for the rehabilitation. The project is also consistent with Section 15332, which exempts in-fill development projects that meet all conditions within the exemption. The project involves additions to an existing single-family residence and subject to the R-1 (Single-Family Residential) zoning district. With the granting of a variance to the non-conforming construction calculation and the covered parking space dimensions, the project meets all applicable general plan policies and zoning regulations; the project site does not have any identified habitat value; the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site is and can be adequately served by all required utilities and public services. The project has also been found to be consistent with Section 15300.2(f) for modifications to historical resources.

**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 and the Planning Commission have reviewed the reviewed the application and determined the proposed project will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity. The project will improve parking in the vicinity by meeting on-site requirements for number of parking spaces.

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

The Community Development Staff and the Planning Commission have reviewed the application. With the granting of a variance to the non-conforming construction calculation and the covered parking space dimensions, the proposed complies with all applicable design review criteria in Section 17.120.070.

**F. The proposed project maintains the character, scale, and development pattern of the neighborhood.**

Community Development Staff and the Planning Commission have all reviewed the application. The remodeled design preserves the original front elevation of the historic structure and focuses new massing towards the rear and side of the building. The project maintains the character, scale, and development pattern of the neighborhood.

**Historic Alteration Findings**

**A. The historic character of a property is retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property is avoided.**

Community Development Staff and the Planning Commission have reviewed the proposed remodel of the historic structure and determined the additions are located such that they limit publicly visible alterations that would impact the historic character. The structure will retain character-defining features identified by the architectural historian.

**B. Distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property are preserved.**

Community Development Staff and the Planning Commission have reviewed the proposed project and determined that distinctive materials, features that characterize the property are preserved. Specifically, the front elevation will maintain the original entrance, fenestration, most original window openings, and the Greek Revival-style wood details.

**C. Any new additions complement the historic character of the existing structure. New building components and materials for the addition are similar in scale and size to those of the existing structure.**

Community Development Staff and the Planning Commission have reviewed the proposed additions to the structure and determined that they are focused to the rear and non-primary elevation of the building as recommended by the *Standards*. Additions utilize similar materials and have been designed to limit their scale in keeping with the existing structure.

**D. Deteriorated historic features are repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature matches the old in design, color, texture, and, where possible, materials.**

Community Development Staff and the Planning Commission have reviewed the proposed project and determined the historic features identified by the architectural review will be preserved, reused, and repaired to the extent possible.

**E. Archeological resources are protected and preserved in place. If such resources must be disturbed, mitigation measures are undertaken.**

Community Development Staff and the Planning Commission have reviewed the proposed involves additions to an existing residence will not impact archeological resources.

## Variance Findings

- A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: There are unique circumstance applicable to the subject property includes a historic residence which is protected within the municipal code and under CEQA. The non-conforming aspects of the structure represent original portions of the residence, significantly the front elevation, and will be preserved as a result of the variance. Allowing reduced parking dimensions for the garage space enables the project to provide covered parking space as is required while limiting the new massing near the front of the structure and preserving an existing window placement near the front corner.

- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The proposed modifications comply with all height, setback, and FAR requirements. The strict application of the zoning code requirements for non-conforming structures and covered parking dimensions while also complying with local and state requirements for historic preservation would deprive the subject property of development alternatives typically available to other properties in the same zone, such as demolition.

- C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance is necessary to preserve the ability to construct additions in a manner consistent with current development standards and the Secretary of the Interior's Standards for preservation.

- D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance will not impose any detrimental impacts on the public health, safety, or welfare, or be injurious to properties or improvements in the vicinity or in the same zone as the subject property. The variance enables the project to provide the required number parking spaces while preserving historically significant portions of the structure and limit the massing of new portions of the residence.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance does not grant privileges in excess of the objective development standards applicable to all properties in the vicinity and the within the same zone. The variance allows the property to expand a structure without addressing an existing nonconformity due to its historic status. In 2014 and again in 2022, similar variances were granted at 124 Central Avenue and 216 Central Avenue, respectively, for additions to non-conforming historic structures. Both projects included alterations greater than 80 percent of the fair market value.

- F. The variance will not have adverse impacts on coastal resources.**

Staff Analysis: The variance will not adversely impact coastal resources.

## 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 1555 Lincoln 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 1555 Lincoln Avenue Prospect Avenue. The proposed project will not have an effect on natural habitats or natural resources.

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

The project will not negatively impact low-cost public recreational access.

**E. The project maintains or enhances opportunities for visitors.**

The project will not negatively impact visitor serving opportunities.

**F. The project maintains or enhances coastal resources.**

The project involves the demolition of an existing accessory structure the construction of additions to an existing historic residence and will not negatively impact coastal resources.

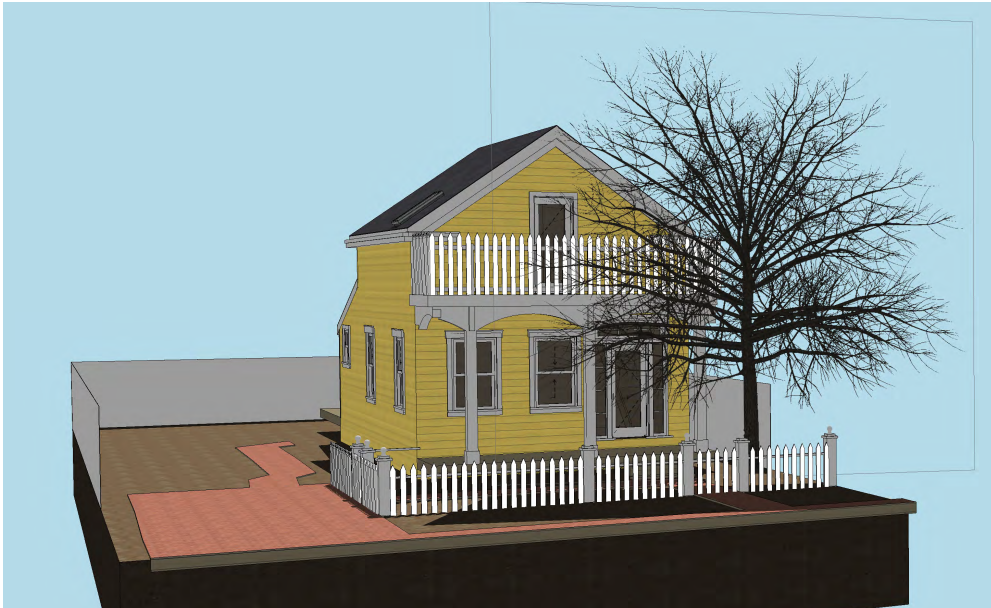
**G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.**

With the granting of a variance, 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.

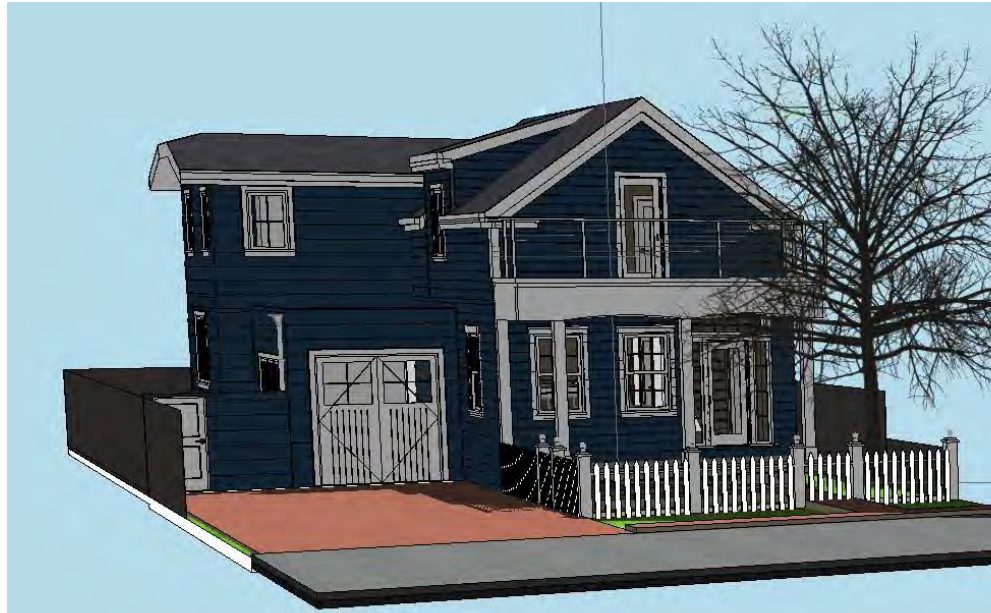
**H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).**

The project involves the demolition and replacement of an existing residence and remodel of an existing garage 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.

Prepared by Sean Sesanto



EXISTING HOUSE



PROPOSED MODIFICATIONS

**FAR CALCULATION:**

LOT SIZE: 3200 SF

FIRST FLOOR: 806.5 SF  
 SECOND FLOOR: 796 SF  
 GARAGE: 189.5

TOTAL: 1792 SF

FAR ALLOWED:  
 .56 X 3200 = 1792 SF

**PROJECT INFORMATION**

**PROJECT DESCRIPTION:**

REMOVAL OF SINGLE STORY ADDITION TO THE BACK OF THE EXISTING RESIDENCE, REMOVAL OF THE ACCESSORY STRUCTURE IN THE BACK YARD, NEW 2 STORY ADDITION TOWARDS THE BACK OF THE PROPERTY AND A NEW ATTACHED SINGLE STORY GARAGE, REMODEL TO (E) INTERIORS, REMOVAL OF NON-HISTORIC RAILING AT DECK OVER FRONT PORCH. INSTALL NEW RAILING.

**PROJECT ADDRESS:** 1555 LINCOLN AVE.  
 CAPITOLA, CA 95010

**APN:** 034-041-13  
**OCCUPANCY GROUP:** R3/U  
**NUMBER OF STORIES:** 2  
**CONSTRUCTION TYPE:** VB (NON-SPRINKLERED)

**LOT SIZE:** 3200 SF (40'X80')

**CURRENT SQUARE FOOTAGE:** GROUND FLOOR 625 SF  
 SECOND FLOOR 441 SF  
**TOTAL** 1066 SF

**(E) DETACHED SINGLE STORY ACCESSORY BLDG:** 173 SF

**PROPOSED PROJECT:** GROUND FLOOR 806.5 SF  
 SECOND FLOOR 796 SF  
 GARAGE 189.5 SF

**TOTAL** 1792 SF

**PROJECT DIRECTORY**

**OWNER:** Suzie Gleeson and Tara Zorovich  
 153 Clipper St.  
 San Francisco, CA 94114  
 EMAIL: tmzoro@gmail.com

**ARCHITECT:** PETER SPELLMAN DESIGN, INC.  
 PETER SPELLMAN  
 102 GREEN STREET  
 SANTA CRUZ, CA 95060  
 T: 831.419.4170  
 EMAIL: psdesign@hotmail.com

**SHEET INDEX**

- A1 COVER SHEET / 3D VIEWS
- A2 EXISTING SITEPLAN/EXISTING DRAINAGE
- A3 PROPOSED SITEPLANS/GROUND FLOOR PLANS
- A4 PROPOSED DRAINAGE PLAN
- A5 SECOND FLOOR PLANS
- A6 ELEVATIONS (EXISTING)
- A7 ELEVATIONS (PROPOSED)
- A8 3D VIEWS
- A9 3D VIEWS
- A10 3D VIEWS
- A11 3D VIEWS
- A12 MATERIAL BOARD
- PROPERTY SURVEY

**PARCEL MAP**



**PSD**

**PETER SPELLMAN  
 DESIGN, INC.**

102 GREEN STREET  
 SANTA CRUZ, CA 95060  
 T: 831-419-4170  
 psdesign@hotmail.com



**1555 LINCOLN  
 CAPITOLA, CA. 95010  
 APN: 034-041-13**

**PROJECT TITLE:**  
 REMODEL WITH ADDITIONS  
 TO SINGLE FAMILY RESIDENCE

|                         |          |
|-------------------------|----------|
| DESIGN PERMIT SUBMITTAL | 6-4-22   |
| DESIGN PERMIT REVISIONS | 9-22-22  |
| DESIGN PERMIT REVISIONS | 11-21-22 |

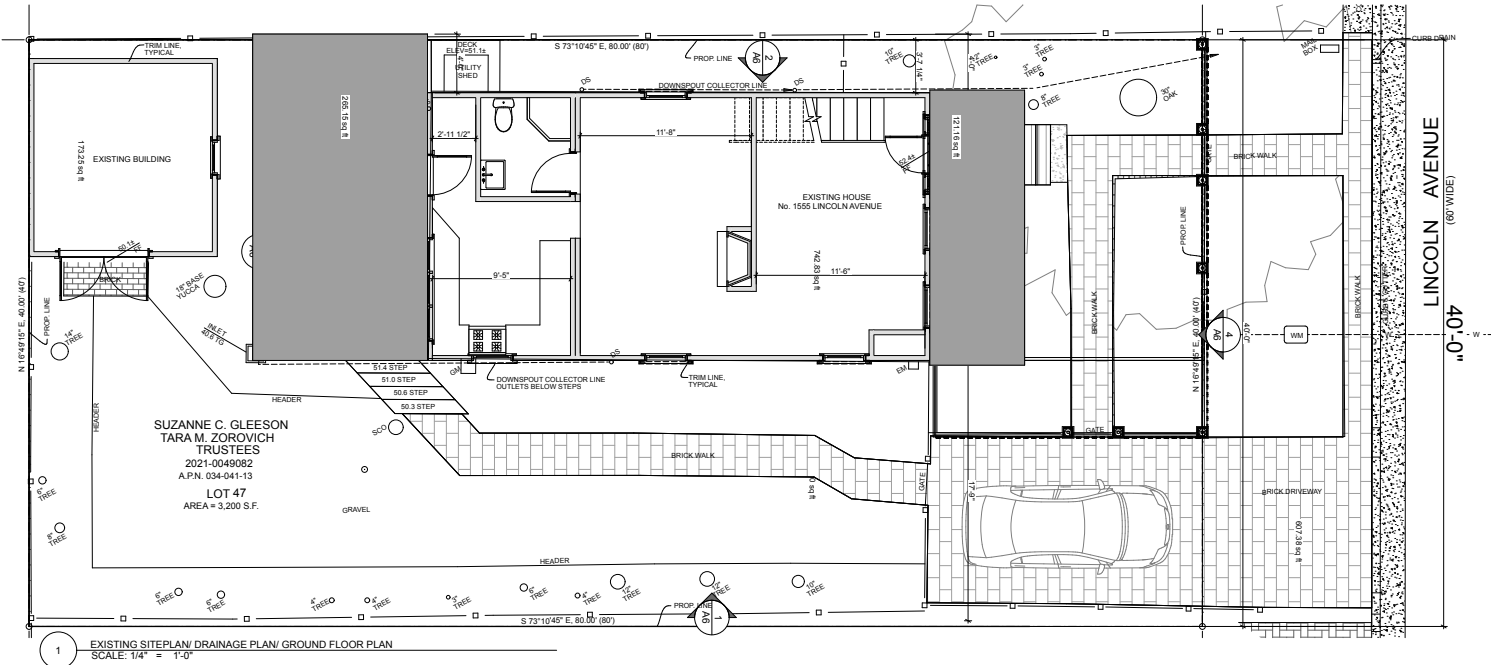
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|                 |          |
|-----------------|----------|
| PROJECT NUMBER: | 21-037   |
| DATE:           | 10-18-21 |

**COVER SHEET**

**A1**





LINCOLN AVENUE (66' WIDE)  
40'-0" W

# PSD

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DESIGN, INC.**  
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T: 831-419-4170  
psdesign@hotmail.com



**1555 LINCOLN  
CAPITOLA, CA. 95010  
APN: 034-041-13**

PROJECT TITLE:  
REMODEL WITH ADDITIONS  
TO SINGLE FAMILY RESIDENCE

|                         |          |
|-------------------------|----------|
| DESIGN PERMIT SUBMITTAL | 6-4-22   |
| DESIGN PERMIT REVISIONS | 9-22-22  |
| DESIGN PERMIT REVISIONS | 11-21-22 |

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PROJECT NUMBER: 21-037  
DATE: 10-18-21

EXISTING  
SITEPLAN/  
EXISTING  
DRAINAGE

## A2

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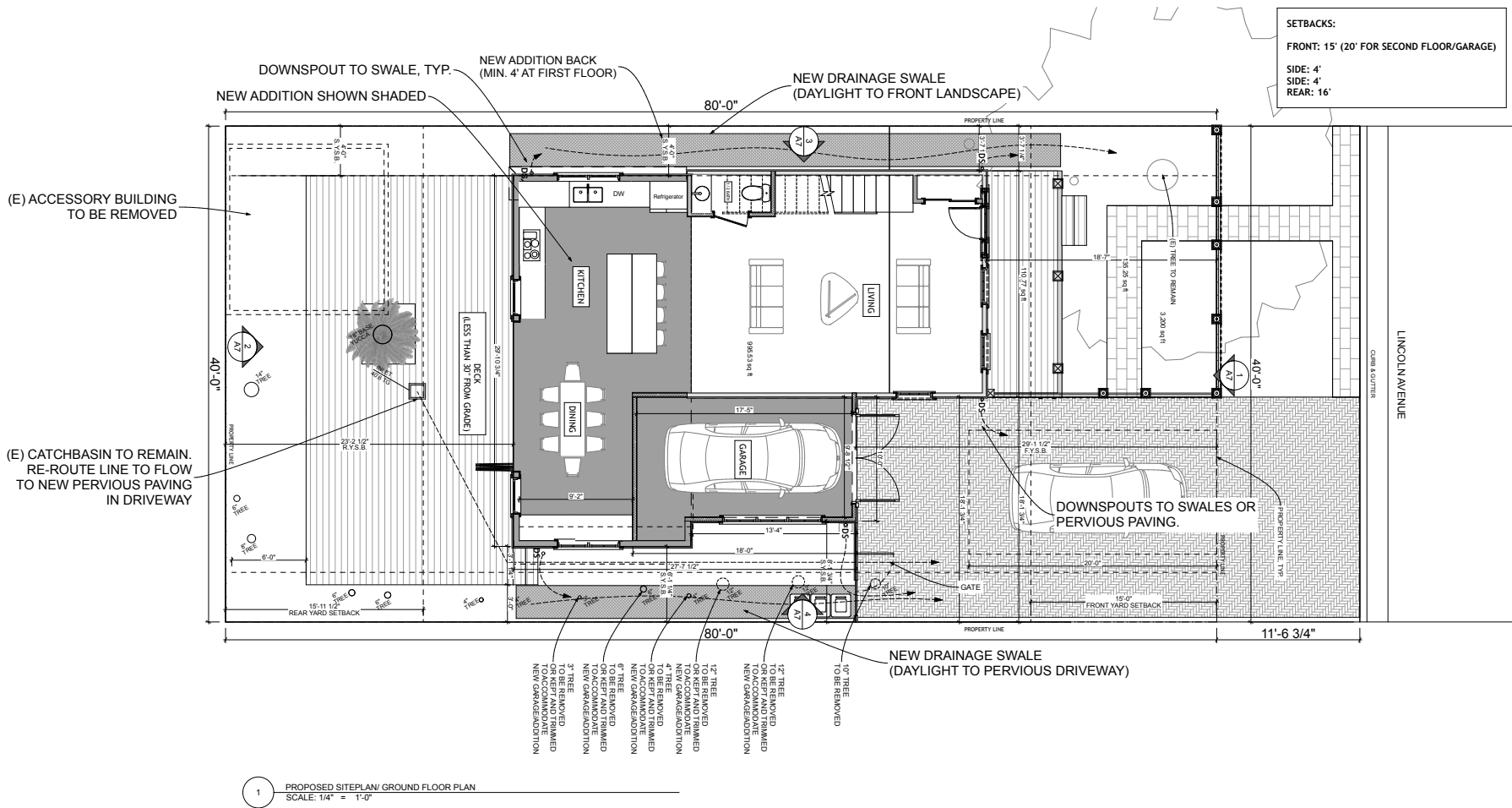
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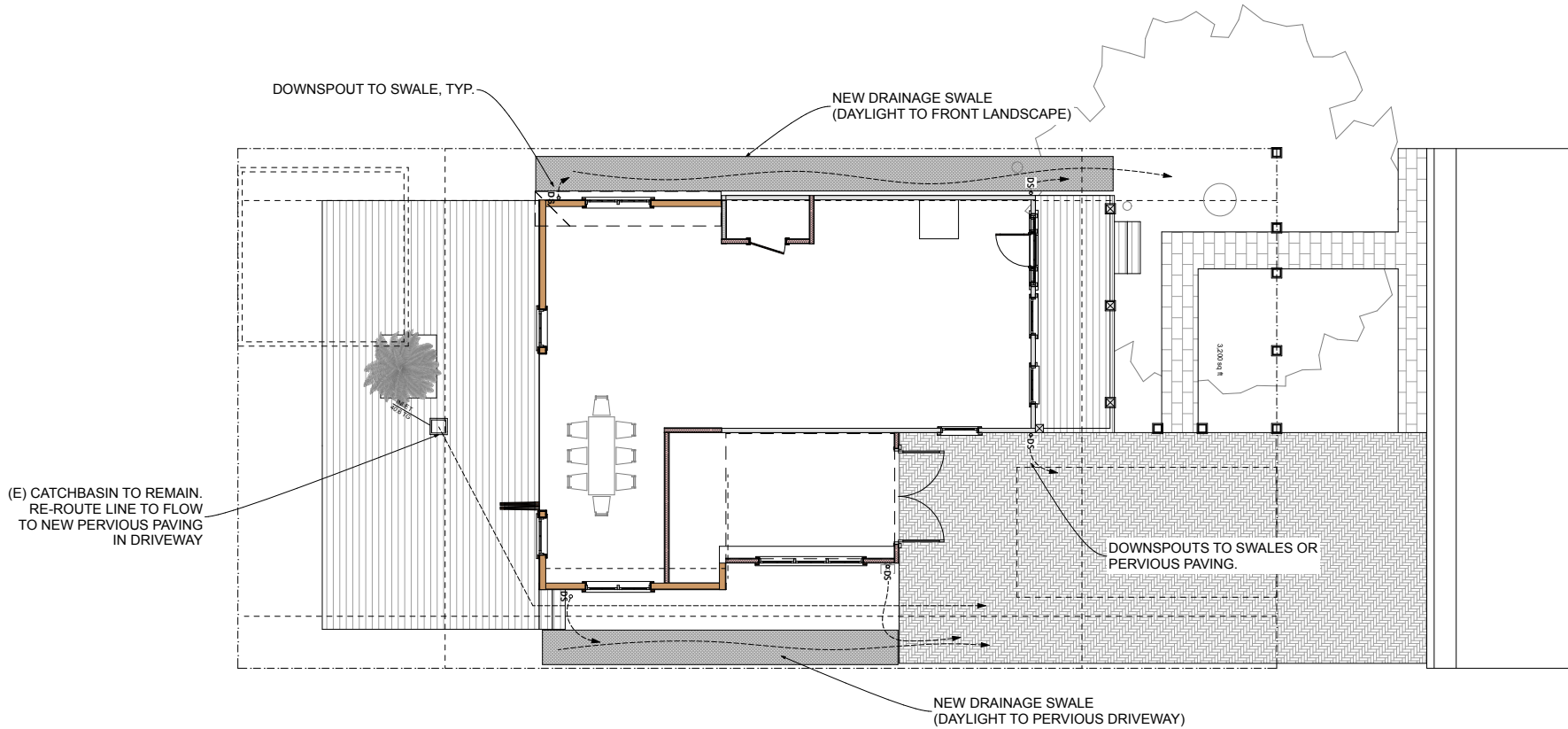
**PROJECT NUMBER:** 21-037  
**DATE:** 10-18-21

**PROPOSED SITEPLAN**

**A3**

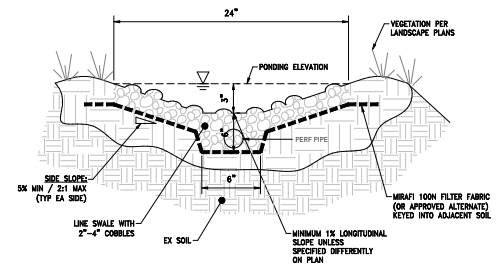


**1 PROPOSED SITEPLAN/ GROUND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



1 DRAINAGE PLAN  
SCALE: 1/4" = 1'-0"

**DRAINAGE NOTE:**  
SITE RUNOFF SHALL NOT DRAIN ONTO ADJACENT PARCELS.



DRAINAGE SWALE DETAIL



PROJECT TITLE:  
REMODEL WITH ADDITIONS  
TO SINGLE FAMILY RESIDENCE

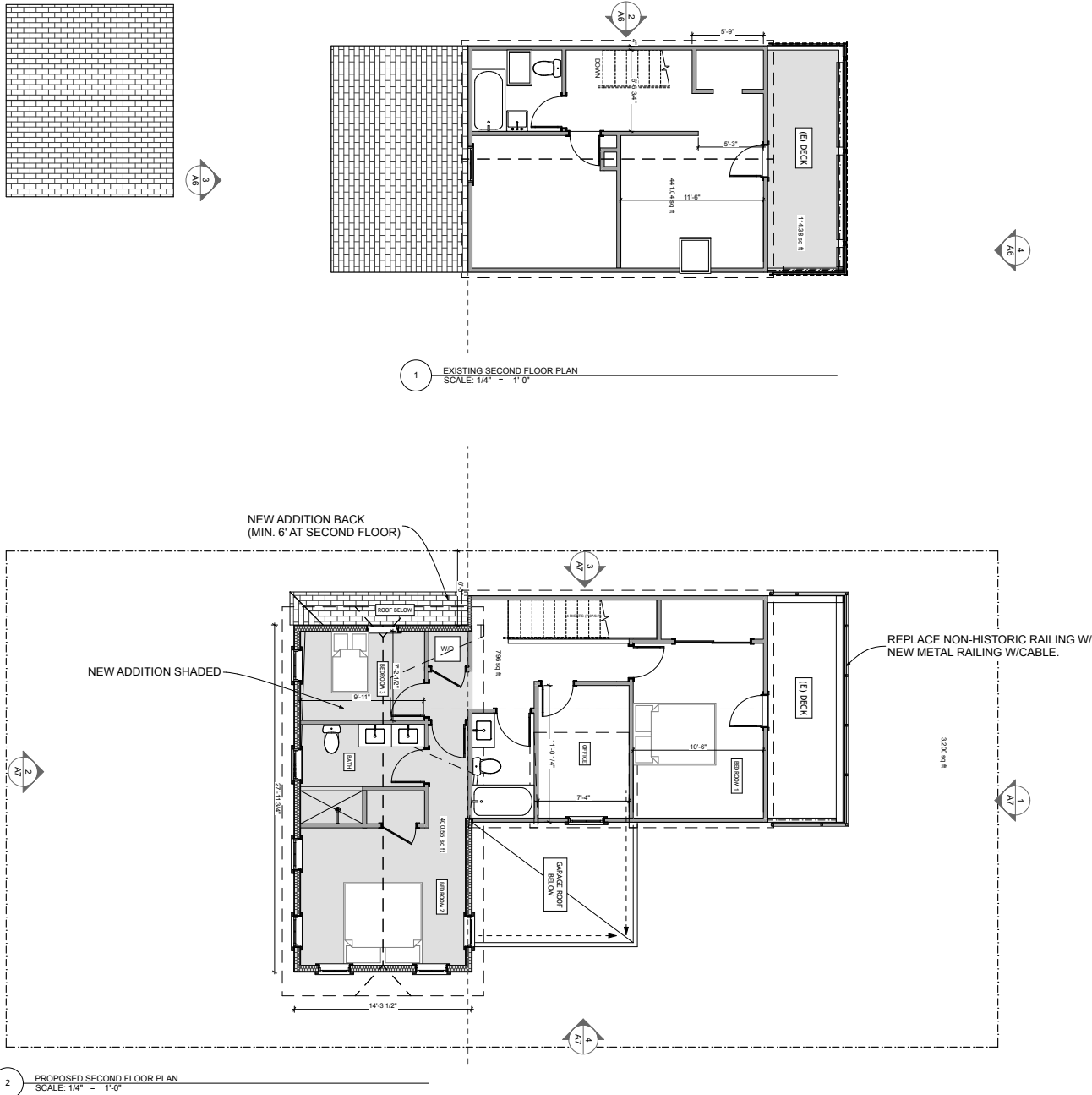
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DATE: 10-18-21

**SECOND  
FLOOR PLANS**

**A5**



**PSD**

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**1555 LINCOLN  
CAPITOLA, CA. 95010  
APN: 034-041-13**

PROJECT TITLE:  
REMODEL WITH ADDITIONS  
TO SINGLE FAMILY RESIDENCE

|                         |          |
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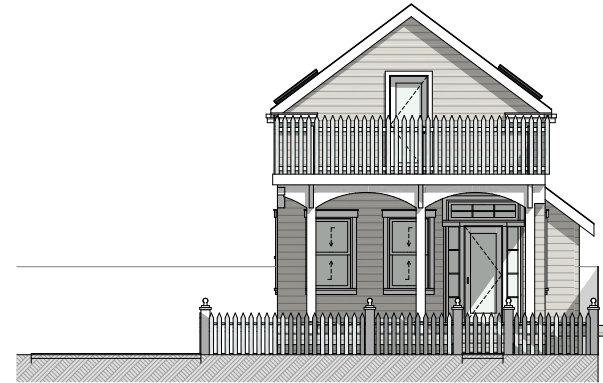
PROJECT NUMBER: 21-037  
DATE: 10-18-21

ELEVATIONS  
EXISTING

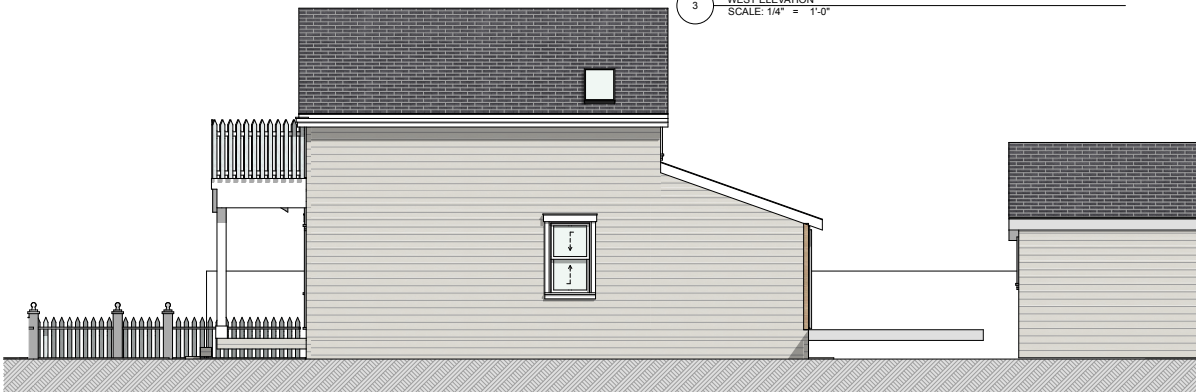
**A6**



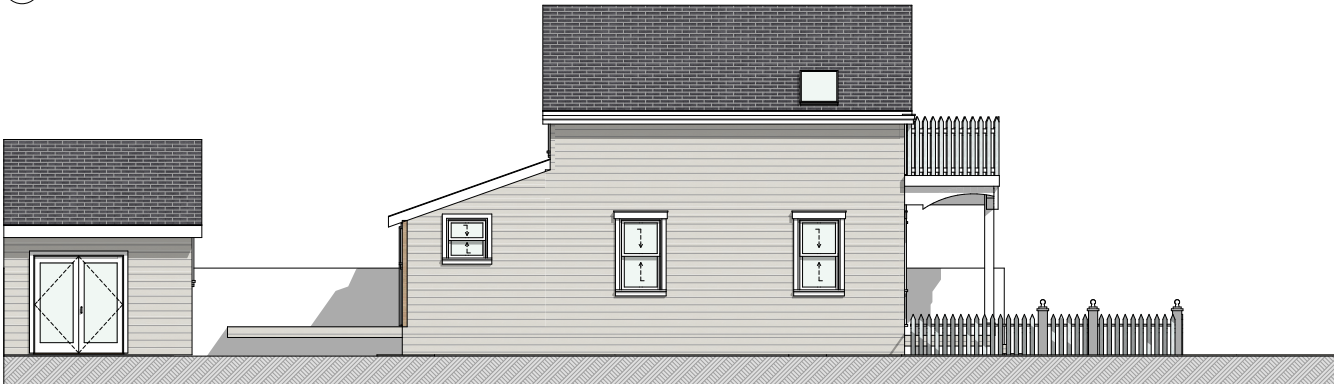
3 WEST ELEVATION  
SCALE: 1/4" = 1'-0"



4 EAST ELEVATION  
SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

**PSD**

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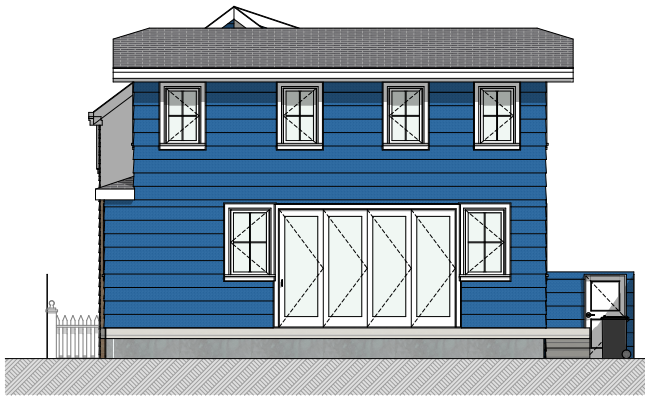
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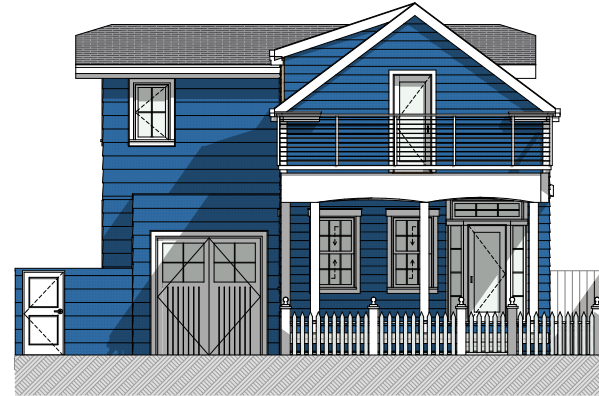
|                 |          |
|-----------------|----------|
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| DATE:           | 10-18-21 |

**ELEVATIONS  
PROPOSED**

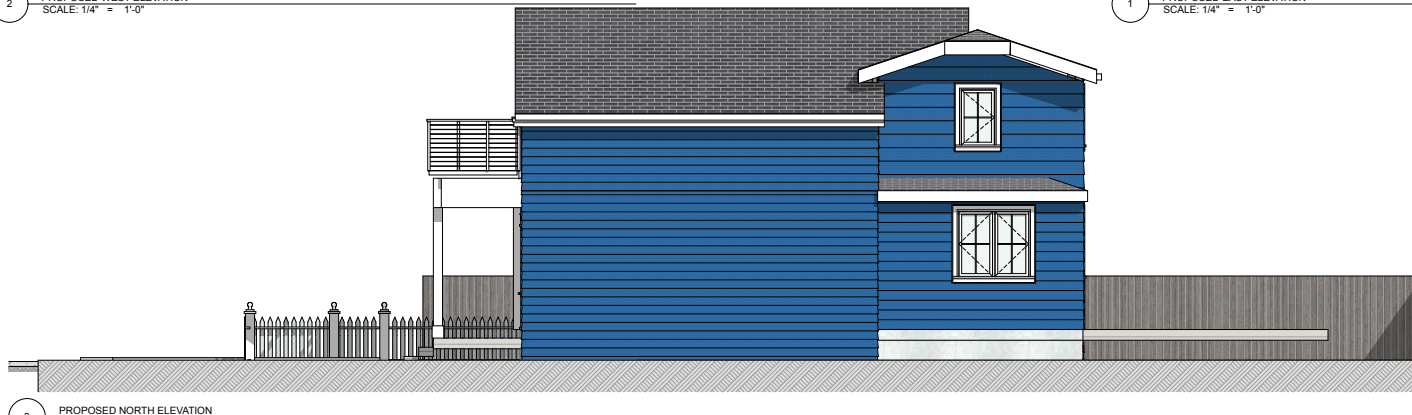
**A7**



2 PROPOSED WEST ELEVATION  
SCALE: 1/4" = 1'-0"



1 PROPOSED EAST ELEVATION  
SCALE: 1/4" = 1'-0"



3 PROPOSED NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



4 PROPOSED SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

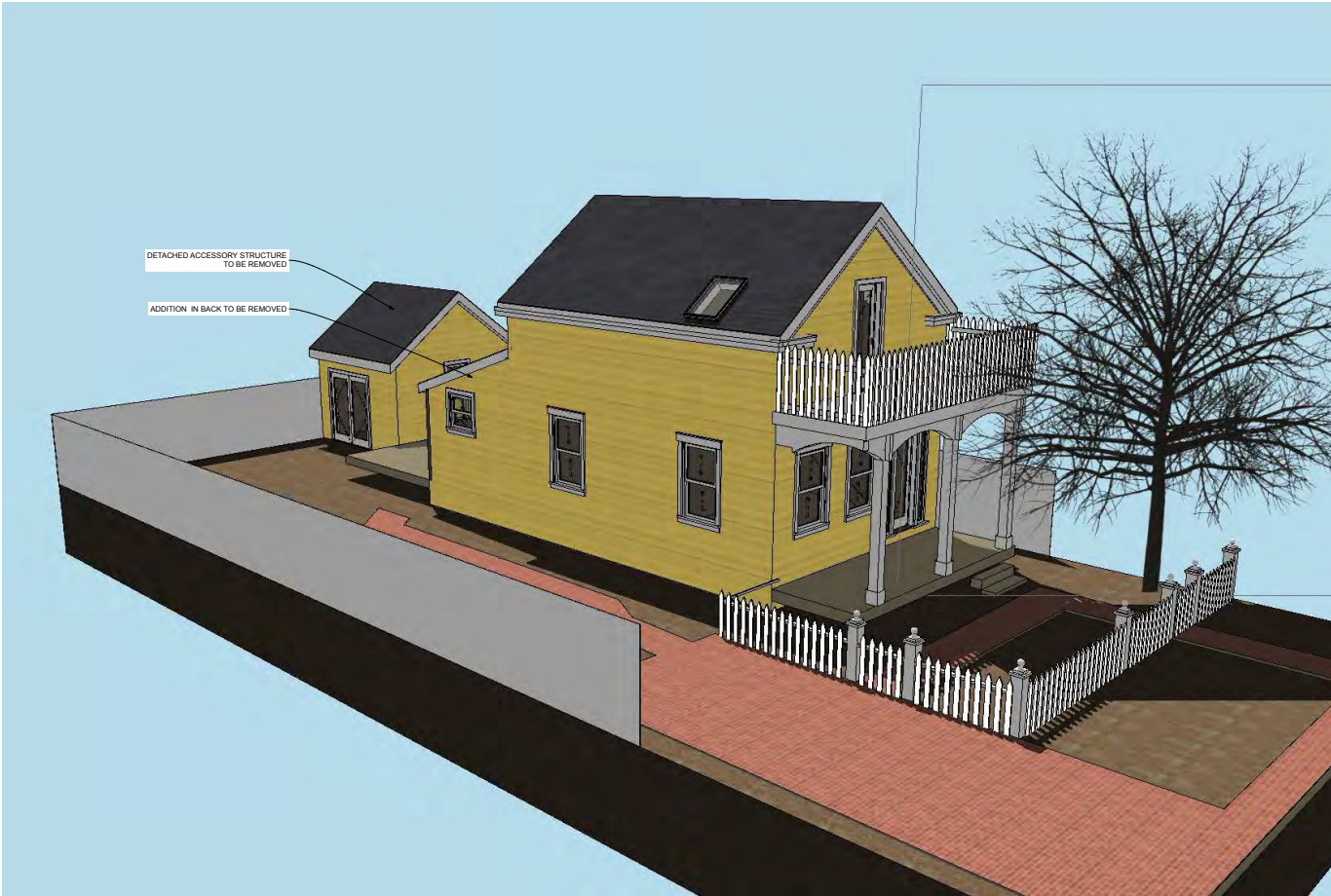
**EXTERIOR FINISHES**

EXISTING HOUSE: PAINTED LAP WOOD SIDING  
ADDITION: PAINTED LAP WOOD SIDING WITH WIDER PROFILE

EXISTING FRONT YARD PICKET FENCE TO REMAIN  
NON-HISTORIC RAILING AT DECK OVER FRONT PORCH TO BE REMOVED AND REPLACED WITH METAL RAILING WITH CABLE.

ROOFING: DESIGNER GRADE ASPHALT SHINGLE

WINDOWS: EXISTING ARE DOUBLE HUNG AND THE ADDITION HAS CASEMENT WINDOWS WHICH REFLECT THE PROPORTION OF THE EXISTING WINDOWS.



EXISTING HOUSE

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 T: 831-419-4170  
 psdesign@hotmail.com



**1555 LINCOLN**  
**CAPITOLA, CA. 95010**  
**APN: 034-041-13**

PROJECT TITLE:  
 REMODEL WITH ADDITIONS  
 TO SINGLE FAMILY RESIDENCE

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IEWS

**A8**



PROPOSED MODIFICATIONS

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**CAPITOLA, CA. 95010**  
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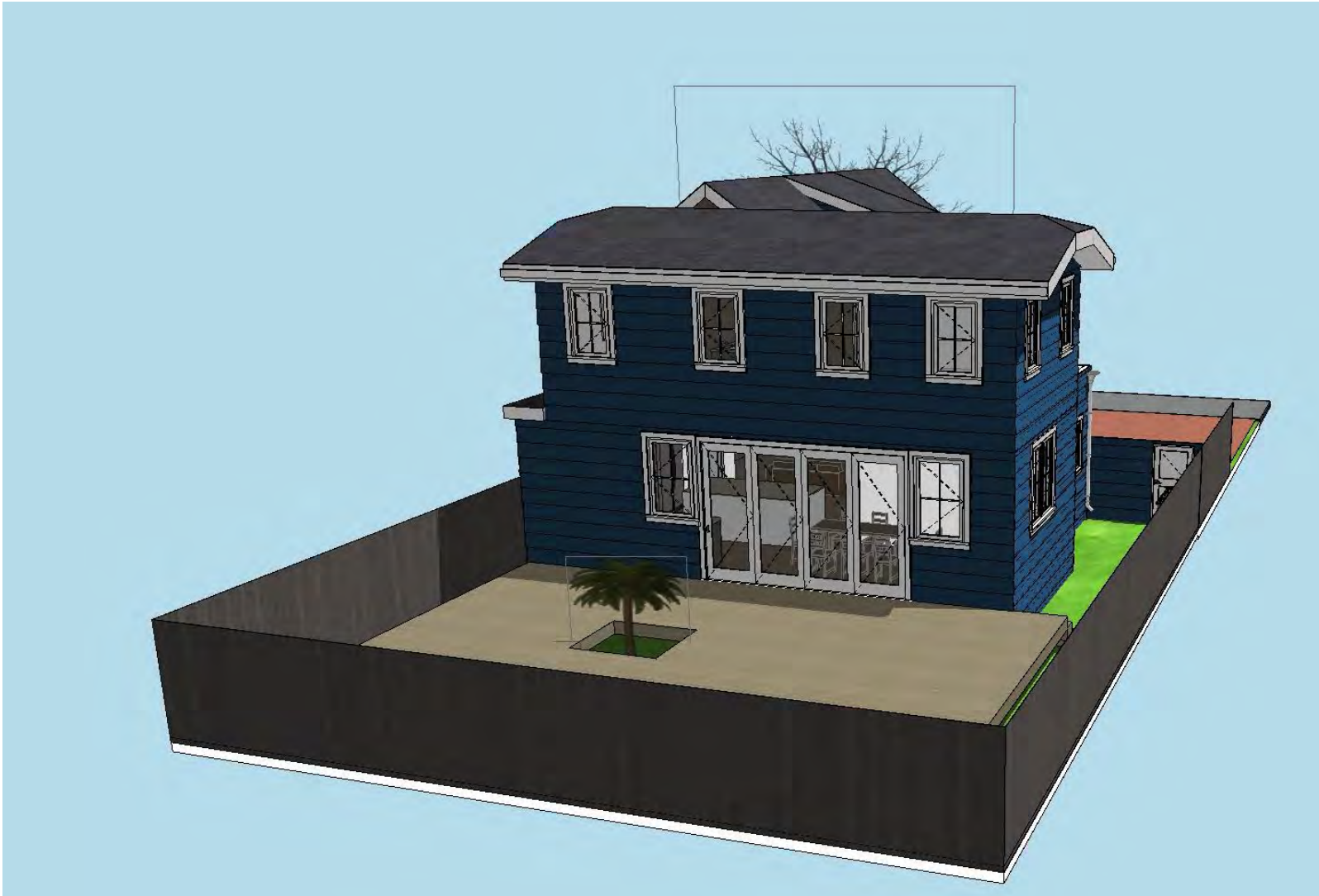
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IEWS

**A9**





PROPOSED MODIFICATIONS

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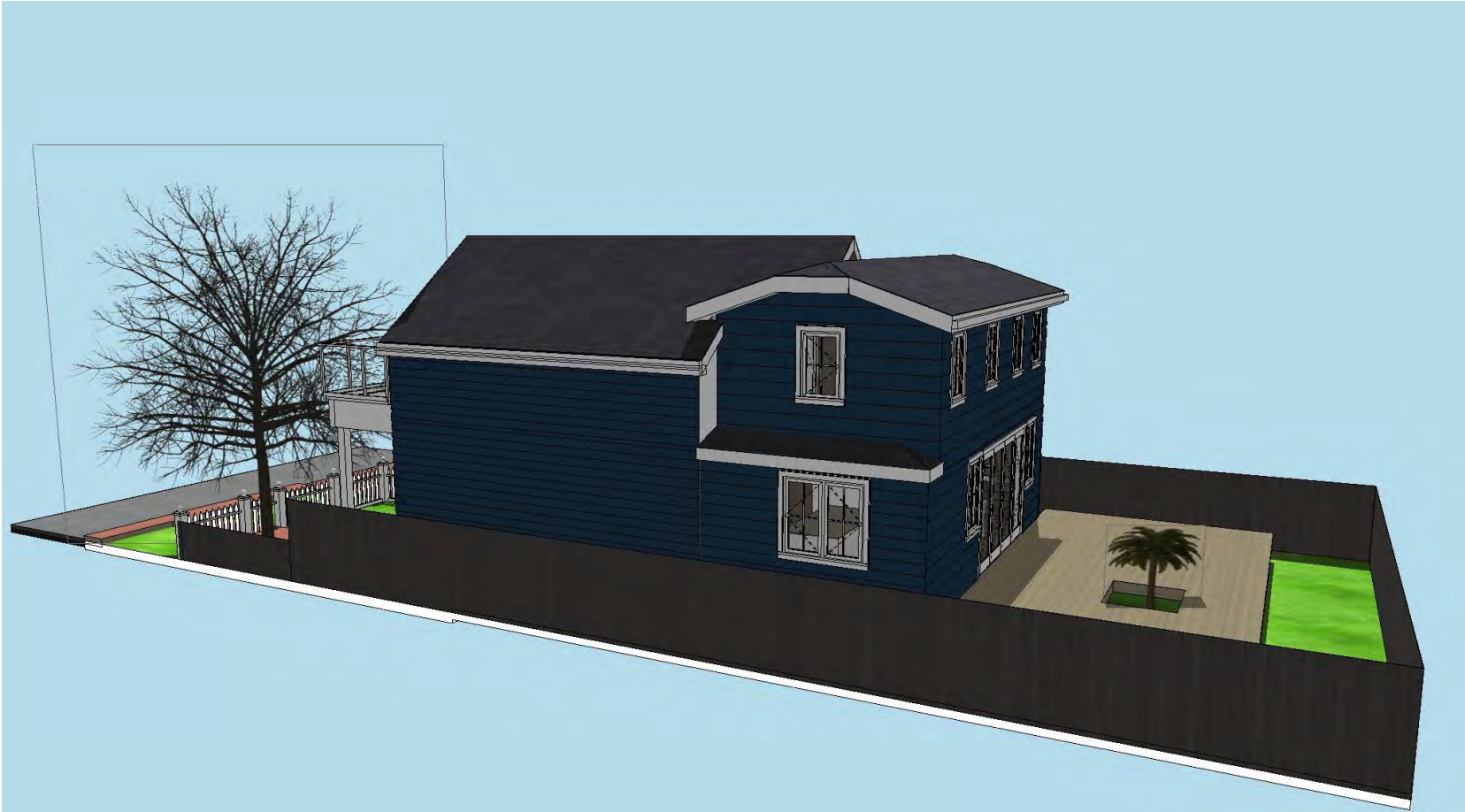
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 DATE: 10-18-21

VIEWS

**A10**



PROPOSED MODIFICATIONS

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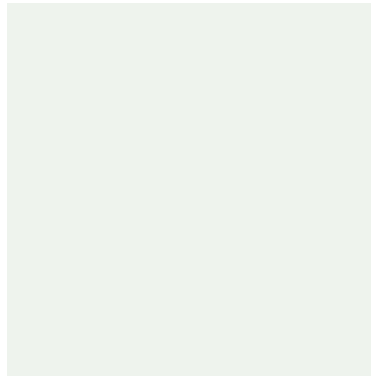
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VIEWS

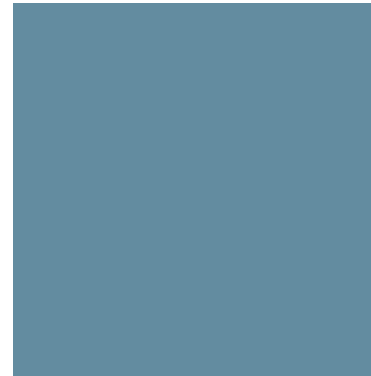
**A11**



ROOFING.



EXTERIOR TRIM COLOR



EXTERIOR SIDING COLOR

**MATERIALS:**

**EXTERIOR SIDING**  
 EXISTING SIDING IS PAINTED WOOD CLAPBOARD SIDING W/A 6" EXPOSURE.  
 NEW ADDITION SIDING IS PAINTED WOOD CLAPBOARD SIDING WITH A 10" EXPOSURE TO DIFFERENTIATE FROM THE EXISTING HOUSE.

**PROPOSED EXTERIOR COLORS:**  
 SIDING: BENJAMIN MOORE HISTORIC COLOR WHIPPLE BLUE (HC-152)  
 EXTERIOR TRIM AND PICKET FENCE COLOR: BENJAMIN MOORE SNOW WHITE (OC-66).

**ROOFING**  
 EXISTING ROOFING IS A COMPOSITION SHINGLE, GREY. NEW COMPOSITION SHINGLE IS PROPOSED FOR THE NEW ADDITION AS WELL AS THE EXISTING HOUSE. (GAF TIMBERLINE UHD W/DUAL SHADOW LINES IN PEWTER GREY).

**NEW RAILING**  
 NEW RAILING AT DECK OVER FRONT PORCH: POWDER COATED METAL POSTS TO MATCH TRIM COLOR AND PAINTED WOOD TOP RAIL TO MATCH TRIM COLOR W/ STAINLESS STEEL CABLING BETWEEN POSTS TO ALLOW MORE VISIBILITY THRU TO THE EXISTING HOUSE.

**PSD**

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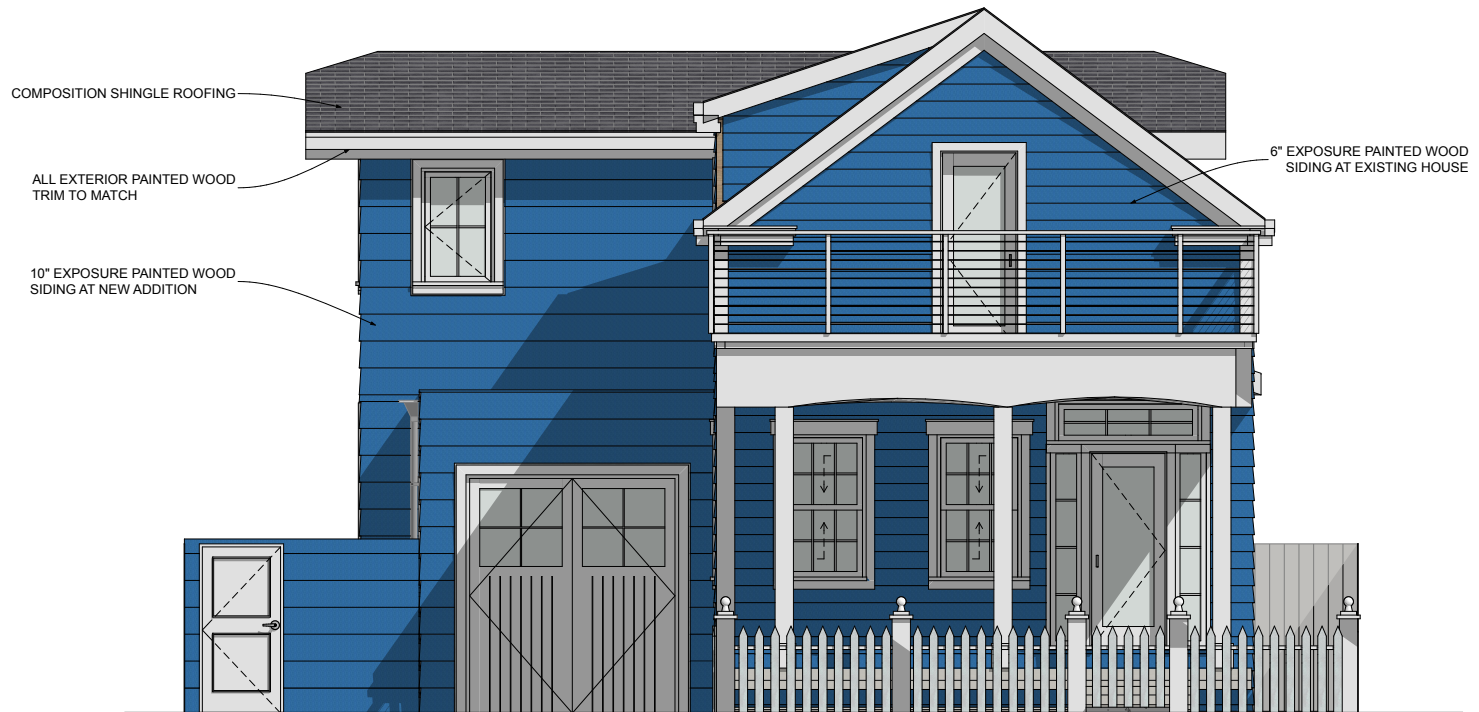
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**MATERIAL BOARD**

**A12**

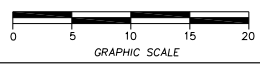
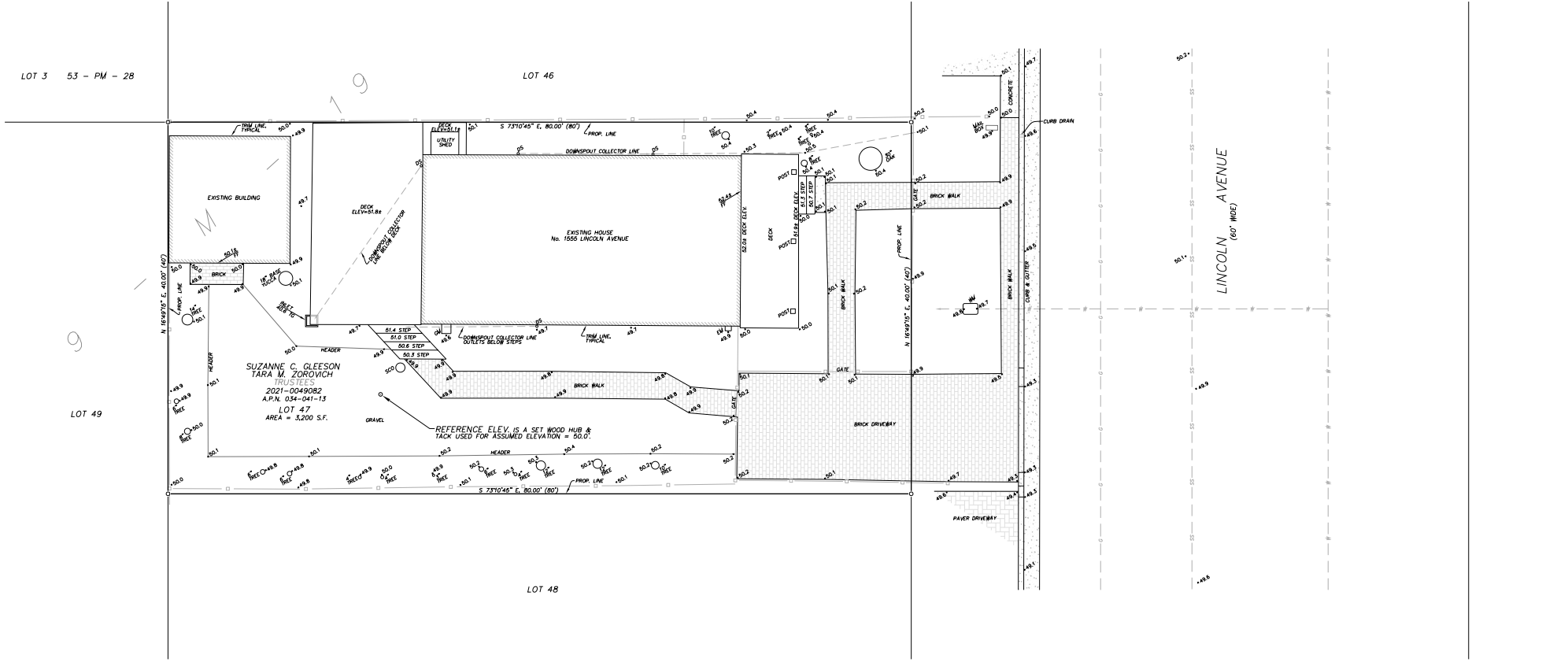
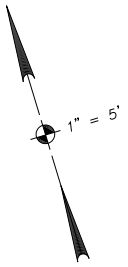


PROPOSED MODIFICATIONS

- LEGEND**
- o Indicates survey point set as noted hereon.
  - o Indicates nothing found or set.
  - x Indicates spot elevation of existing ground or surface.
  - ( ) Indicates record data.

**ABBREVIATIONS**

|      |                |      |                 |
|------|----------------|------|-----------------|
| DS   | DOWN SPOUT     | IP   | IRON PIPE       |
| ELEV | ELEVATION      | PROP | PROPERTY        |
| EM   | ELECTRIC METER | SCO  | SEWER CLEAN OUT |
| FD   | FOUND          | SS   | SANITARY SEWER  |
| FF   | FINISHED FLOOR | TG   | TOP OF GRATE    |
| G    | GAS            | W    | WATER           |
| GM   | GAS METER      | WM   | WATER METER     |



LUKE R. BEAUTZ  
C.E., L.S.

**SURVEYOR'S MAP**  
SHOWING BOUNDARY, TOPOGRAPHIC, & SITE DATA ON  
**LOT 47** 9-M-19  
"CAMP FAIR VIEW"  
WITHIN THE CITY OF CAPITOLA  
SANTA CRUZ COUNTY, CALIFORNIA  
SCALE: 1" = 5' NOVEMBER 2021  
BY: LUKE R. BEAUTZ, C.E., L.S.  
A.P.N. 034-041-13 SHEET 2 OF 2



# City of Capitola Variance Application Form

## Variance Summary

Please explain your Variance request and the development standard(s) which you would like to modify.

Exception request to exceed the 80% construction cost calculation. The submitted calculations are within the 80% limit, but since we are close to the 80%, we thought it would be prudent to have this variance in place in case anything comes up during construction that was not identified previously.

## Required Findings

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Given the age of the existing structure, we may encounter additional areas of the home that require work once construction and demolition begin and more of the existing home is opened up. We will be performing more detailed analysis of the structure with a structural engineer once we have secured zoning permission to move forward.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Yes.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Yes. Will allow the new owners the ability to renovate the property to meet their needs as any other property would be allowed to do within City rules.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

No.

E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

No. Request seems typical for historical structures where there are more unknowns with existing conditions.

F. The variance will not have adverse impacts on coastal resources.

No.



## City of Capitola Variance Application Form

### Variance Summary

Please explain your Variance request and the development standard(s) which you would like to modify.

REQUEST TO MODIFY THE DIMENSION STANDARD FOR NEW COVERED PARKING REQUIREMENT.

### Required Findings

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.

- A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

SUBJECT PROPERTY HAS AN EXISTING HISTORIC SINGLE FAMILY HOME WHICH WE INTEND TO ADD TO AND REMODEL. IN ORDER TO HAVE LESS OF AN IMPACT ON EXISTING FEATURES OF THE HOUSE, WE ARE PROPOSING A SMALL REDUCTION IN THE SIZE OF THE NEW GARAGE.

- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

STRICT APPLICATION WOULD HAVE LARGER MASSING/AESTHETIC CONFLICT W/ THE HISTORIC HOME, NAMELY ENCROACHING ON EXISTING WINDOW IN THE SOUTH EAST CORNER OF HOME.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

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D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

TRUE.

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E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

VARIANCES WILL NOT GRANT SPECIAL PRIVILEGES

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F. The variance will not have adverse impacts on coastal resources.

NO IMPACTS TO COASTAL RESOURCES.

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## CONSTRUCTION COST BREAKDOWN PER Section 17.92.070

### Existing Building Costs:

### STAFF

|                                    |           |             |   |           |                   |
|------------------------------------|-----------|-------------|---|-----------|-------------------|
| Existing Residence:                | 1066      | square feet | = | \$        | 266,500.00        |
|                                    | \$ 250.00 | square foot |   |           |                   |
| Existing Garage:                   | 0         | square feet | = | \$        | -                 |
|                                    | \$ 100.00 | square foot |   |           |                   |
| Existing Deck:                     | 614       | square feet | = | \$        | 15,350.00         |
|                                    | \$ 25.00  | square foot |   |           |                   |
| <u>Total Existing Value:</u>       |           |             |   | <u>\$</u> | <u>281,850.00</u> |
| <b>80% of Total Existing Value</b> |           |             |   | <b>\$</b> | <b>225,480.00</b> |

### New Construction Costs:

|                                      |           |             |   |           |                   |
|--------------------------------------|-----------|-------------|---|-----------|-------------------|
| New Conditioned Space:               | 585       | square feet | = | \$        | 146,250.00        |
|                                      | \$ 250.00 | square foot |   |           |                   |
| New Garage:                          | 190       | square feet | = | \$        | 19,000.00         |
|                                      | \$ 100.00 | square foot |   |           |                   |
| New deck/porch:                      | 500       | square feet | = | \$        | 12,500.00         |
|                                      | \$ 25.00  | square foot |   |           |                   |
| <u>Total New Construction Value:</u> |           |             |   | <u>\$</u> | <u>177,750.00</u> |

### Remodel Costs: (50% of "new construction" costs)

|  |           |             |   |           |                   |
|--|-----------|-------------|---|-----------|-------------------|
| Remodel Conditioned Space:             | 320       | square feet | = | \$        | 40,000.00         |
|  | \$ 125.00 | square foot |   |           |                   |
| Remodel Garage:                        | 0         | square feet | = | \$        | -                 |
|  | \$ 50.00  | square foot |   |           |                   |
| Remodel Deck:                          | 114       | square feet | = | \$        | 1,425.00          |
|  | \$ 12.50  | square foot |   |           |                   |
| <u>Total Remodel Value:</u>            |           |             |   | <u>\$</u> | <u>41,425.00</u>  |
| <b>Total Construction/Remodel Cost</b> |           |             |   | <b>\$</b> | <b>219,175.00</b> |
| <b>% of Existing Value</b>             |           |             |   |           | <b>77.8%</b>      |

P A S T  
CONSULTANTS LLC

Seth A. Bergstein  
415.515.6224  
seth@pastconsultants.com

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December 12, 2022

Sean Sesanto, Assistant Planner  
City of Capitola Planning Department  
420 Capitola Ave.  
Capitola, CA 95010

Re: 1555 Lincoln Ave., Capitola, CA – Final SOI Standards Design Review Letter  
APN. 034-041-13

Dear Mr. Sesanto:

This letter evaluates the proposed alterations to the property located at 1555 Lincoln Avenue, in Capitola, California. The site contains a modified house (circa-1890) constructed in the Greek Revival style and a non-historic shed (1984) outbuilding.

### **Project Methodology**

On March 22, 2022 PAST Consultants, LLC (PAST) visited the subject property with you and Peter Spellman, the project's architectural designer, to view the existing conditions of the buildings and to discuss the proposed building alterations. On March 28, 2022, PAST submitted a preliminary review letter of the proposed drawings for conformance with the *Secretary of the Interior's Standards for Rehabilitation* (the *Standards*). This letter provided recommendations to the initial drawing set, which included reducing the scale and visual impact of the proposed two-story rear addition, removing the proposed front deck, reducing the size of the proposed second-story roof dormer and that proposed window replacements should be wood sash in-kind, or with multiple paned upper and lower sash as was typical of Greek Revival-style windows.

PAST discussed these recommendations with you, the designer and the Client in a remote meeting conducted on August 16, 2022 and at an additional site visit held on September 6, 2022. The design team agreed to modify the design to address some of the preliminary concerns and to change the proposed design of a deck over a carport to an enclosed garage to satisfy the City's parking requirement and to get the project within conformance of the Secretary of the Interior's Rehabilitation standards. The most recent project drawings of the modified design were submitted to the City of Capitola on November 21, 2022. The following letter report evaluates the proposed rehabilitation design as presented on the architectural drawings by Peter Spellman Design, dated November 21, 2022.

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P.O. Box 721  
Pacific Grove, CA 93950  
www.pastconsultants.com

### Existing Site Conditions

The site contains a modified one- and one-half story, wood-framed house (circa-1890) constructed in the Greek Revival style and a 1984 shed (Figures 1 – 5).



**Figures 1 and 2.** Left image shows the front (east) elevation, as viewed from the street. Right image details the front porch, which was replaced in the 1970s and the porch roof converted to a deck.

The one-and one-half story house has steeply-pitched gable roofs, with cornice returns and wide fascia boards; replaced windows in original wood surrounds, an original entrance with sidelights, and clapboard wall cladding. Modifications include a poorly constructed circa-1920s shed roofed rear addition with board-and-batten wood siding, replacement of all original wood sash windows, removal of the original front porch and the conversion of the porch roof to a deck in the 1970s.



**Figures 3 and 4.** Left image shows the rear (west) elevation, with shed roofed rear addition. Windows in the rear addition have been replaced in original and new openings. Right image details the south elevation. Original wood sash windows have been replaced.

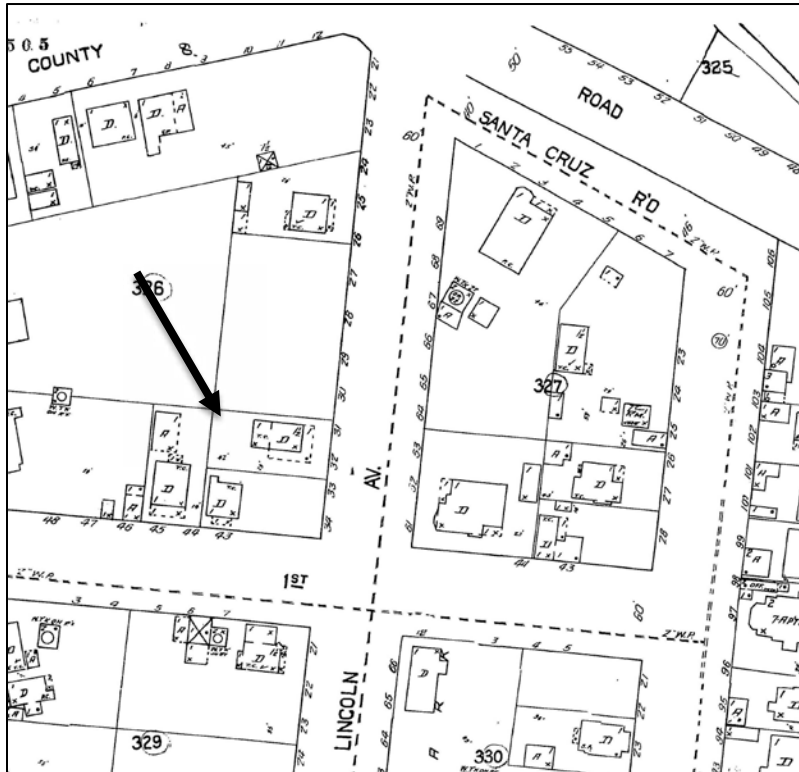
The shed, constructed in 1984, is located behind the house.



**Figure 5.** View of 1984 shed outbuilding located in the rear yard.

### Sanborn Map Analysis

The 1933 Sanborn map shows the subject property with the rear addition in place and a wood-framed wraparound porch (**Figure 6**).



**Figure 6.** Image of the 1933 Sanborn map, showing the subject property with an arrow.

## Construction Chronology



**Figure 7.** 1975 Assessor’s photograph showing the second-story, gable-end window and the replaced front porch.

Based on the Sanborn maps, Assessor records and permits obtained from the City of Capitola Planning Department, the following is the estimated building chronology:

- Circa-1890. Construct original house with wraparound porch.
- Circa-1920s. Construct shed-roofed, board-and-batten rear addition.
- Permit No. 7136, 1975. Install new foundation.
- No Date, before 1975. Remove original wraparound front porch and install new front porch with chamfered columns and new wood deck (**Figure 7**).
- Circa-1970s, after 1975. Convert front porch roof to a deck. Add picket fence “railing.” Convert gable-end window to a door (**Figure 7**).
- Permit No. 11496, 1984. Construct shed outbuilding.
- Permit No. 14251, 1992. Reduce size of shed outbuilding.
- Permit No. BP1998-581, 1998. Repair front, second-story deck.
- Permit No. BP2015-0411, 1998. Repair front porch.
- Permit No. BP2008-257, 2008. Repair shed outbuilding.

## Remaining Character Defining Features

The remaining character-defining features are:

- Steeply pitched gable roof.
- Roof wood details including wide cornice boards, wide fascia boards and cornice returns.
- Wood details including wall corner boards, wood window surrounds and wood details on first floor of front and primary (east) elevation.

- Original entrance with toplights, sidelights and wood door surrounds.
- Clapboard wall cladding.

### **The Secretary of the Interior’s Standards**

The *Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards)* provides the framework for evaluating the impacts of additions and alterations to historic buildings. The *Standards* describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The *Standards* require that the treatment approach be determined first, as a different set of standards apply to each approach. For the proposed project, the treatment approach is rehabilitation. The *Standards* describe rehabilitation as:

In *Rehabilitation*, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the *Standards for Rehabilitation and Guidelines for Rehabilitation* to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.<sup>1</sup>

The ten *Standards* for rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

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<sup>1</sup> *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*: Kay D. Weeks and Anne E. Grimmer, U.S. Department of the Interior, National Park Service, 1995, 62.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### Summary of Proposed Alterations

The proposed project is an interior remodel and installation of a two-story rear addition to the existing historic house. To satisfy the City’s parking requirement, a new single-story garage will be constructed on the east-elevation driveway. Design Drawings by Peter Spellman Design, Inc., dated November 21, 2022 were the design drawings reviewed for this historic evaluation.

Based on recommendations during the site visits and remote meetings, the following modifications were agreed upon by the Client’s design team:

- The size of the proposed garage was reduced to allow retention of the existing historic south-elevation window opening.
- Size of proposed rear addition was reduced. Massing reduced by clipping the corners of the proposed second-story roofline.
- The size of the south-elevation dormer has been reduced.
- Proposed window replacements will be with wood-sash windows.

## Evaluation of Proposed Alterations

For the proposed alterations to the subject building, the following lists the ten *Standards* for rehabilitation, with an evaluation given below each standard.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The proposed alterations will allow the building to continue its residential building use, while retaining the existing character defining features that remain on the building, in keeping with this *Standard*.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The proposed rehabilitation design removes the circa-1920s shed-roofed rear addition and an original window opening on the south elevation. While these original features are being removed, an example of an original window opening remains on the south elevation and on the east (primary) elevation. Removal of the poorly constructed and modified rear addition is considered appropriate, as the *Standards* prioritize using the rear (and least primary) elevation as the location for additions and/or alterations.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The proposed rehabilitation design does not add conjectural features or elements from other historic properties that would confuse the remaining character-defining features of the existing building, in keeping with this *Standard*.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The *Standard* does not apply, as no changes have acquired historic significance. The circa-1920s shed roofed rear addition is not considered to be a historic addition to the site, given its poorly constructed nature and subsequent modifications.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The proposed alterations maintain the primary elevation's distinctive materials, features and finishes that characterize the property, including the original entrance and fenestration on the east and primary elevation, most original window openings and the Greek Revival-style wood details, in keeping with this *Standard*.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*



The proposed alterations will repair the remaining character defining features listed above. Severely deteriorated features, such as decayed wood window surrounds and wood details will be repaired, rather than replaced, using established rehabilitation techniques for a given substrate.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Physical treatments to repair deteriorated woodwork, including the removal of paint, will be undertaken using methods that will not damage the historic wood, in keeping with this *Standard*.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

This *Standard* does not apply, as archaeological features are not identified at the site.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The proposed additions are on the rear and non-primary elevation of the building as recommended by this *Standard*. Following our preliminary review and design meetings with the Client's design team, the current rehabilitation design has reduced the size and massing of the proposed rear addition, reduced the size of the south-elevation roof dormer and the garage which allows for the preservation of the window opening on the south elevation.

The proposed rear addition will be differentiated from the original house by using wood siding boards of a different exposure width and modern windows of differing technology than what exists on the original house. The proposed rear addition's two story mass is set back from the street and its roof corners clipped to reduce the visual impact of the rear addition. For these reasons, the proposed rehabilitation design meets this *Standard*.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

If desired, the proposed additions could be removed and the building reversed to its present configuration, as the primary (east) elevation is being minimally impacted by the proposed rehabilitation design. Since the remaining character defining features of the subject house will be maintained, the property will maintain adequate historic integrity and satisfy this *Standard*.

## Conclusion

In conclusion, the proposed design alterations to 1555 Lincoln Avenue, Capitola, meet the *Secretary of the Interior's Standards for Rehabilitation*. Because the proposed alterations to the building meet the *Standards*, the alterations are considered as mitigated to a level of less than a significant impact on the historic resource and do not constitute a substantial adverse change to the historic resource, thus conforming to the requirements of the California Environmental Quality Act (CEQA).

Please contact me with any questions regarding this preliminary review letter.

Sincerely,



Seth A. Bergstein  
Principal

Cc: Peter Spellman Design, Inc.



Seth A. Bergstein  
415.515.6224  
seth@pastconsultants.com

March 28, 2022

Sean Sesanto, Assistant Planner  
City of Capitola Planning Department  
420 Capitola Ave.  
Capitola, CA 95010

Re: 1555 Lincoln Ave., Capitola, CA – Preliminary Design Review Letter  
APN. 034-041-13

Dear Mr. Sesanto:

This letter summarizes the findings of our site visit and provides preliminary recommendations to the subject project’s design drawings for conformance with the Secretary of the Interior’s Standards for Rehabilitation. The subject property is listed on the 1986 Capitola Architectural Survey.

**Existing Site Conditions**

On March 22, 2022 PAST Consultants, LLC (PAST) visited the subject property, located at 1555 Lincoln Avenue in Capitola, California, to view the existing conditions of the buildings. The site contains a modified one- and one-half story, wood-framed house (circa-1890) constructed in the Greek Revival style and a 1984 shed (**Figures 1 – 5**).



**Figures 1 and 2.** Left image shows the front (east) elevation, as viewed from the street. Right image details the front porch, which was replaced in the 1970s and the porch roof converted to a deck.

The one-and one-half story house has steeply-pitched gable roofs, with cornice returns and wide fascia boards; replaced windows in original wood surrounds, an original entrance with sidelights, and clapboard wall cladding. Modifications include a poorly constructed circa-1920s shed roofed rear addition with board-and-batten wood siding, replacement of all original wood sash windows, removal of the original front porch and the conversion of the porch roof to a deck in the 1970s.



**Figures 3 and 4.** Left image shows the rear (west) elevation, with shed roofed rear addition. Windows in the rear addition have been replaced in original and new openings. Right image details the south elevation. Original wood sash windows have been replaced.



**Figure 5.** View of 1984 shed outbuilding located in the rear yard.

### Sanborn Map Analysis

The 1933 Sanborn map shows the subject property with the rear addition in place and a wood-framed wraparound porch (Figure 6).

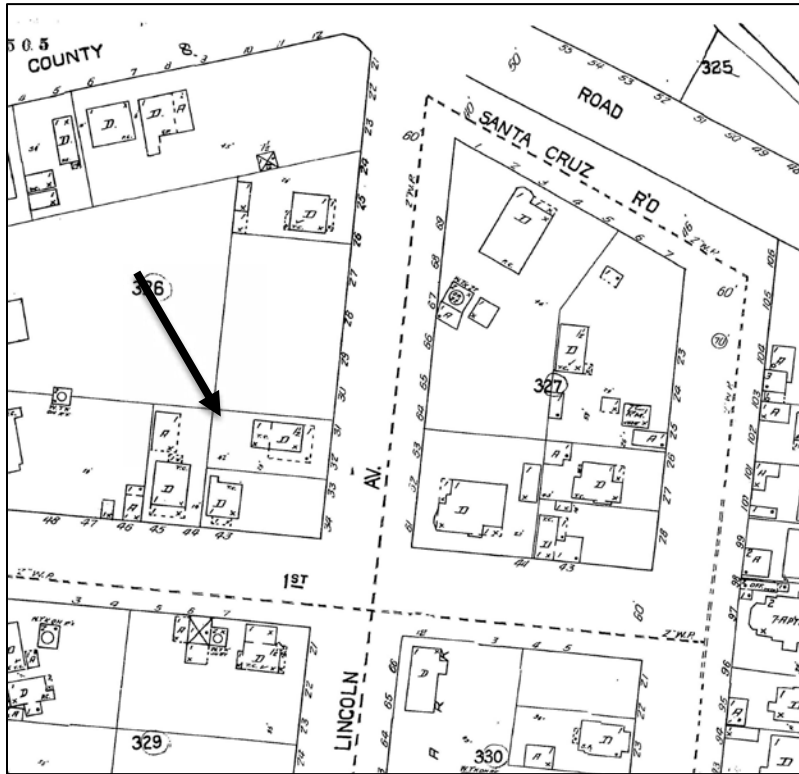


Figure 6. Image of the 1933 Sanborn map, showing the subject property with an arrow.



Figure 7. 1975 Assessor's photograph showing the second-story, gable-end window and the replaced front porch.

## Construction Chronology

Based on the Sanborn maps, Assessor records and permits obtained from the City of Capitola Planning Department, the following is the estimated building chronology:

- Circa-1890. Construct original house with wraparound porch.
- Circa-1920s. Construct shed-roofed, board-and-batten rear addition.
- Permit No. 7136, 1975. Install new foundation.
- No Date, before 1975. Remove original wraparound front porch and install new front porch with chamfered columns and new wood deck (**Figure 7**).
- Circa-1970s, after 1975. Convert front porch roof to a deck. Add picket fence “railing.” Convert gable-end window to a door (**Figure 7**).
- Permit No. 11496, 1984. Construct shed outbuilding.
- Permit No. 14251, 1992. Reduce size of shed outbuilding.
- Permit No. BP1998-581, 1998. Repair front, second-story deck.
- Permit No. BP2008-257, 2008. Repair shed outbuilding.
- Permit No. BP2015-0411, 1998. Repair front porch.

## Remaining Character Defining Features

The remaining character-defining features are:

- Steeply pitched gable roof.
- Roof wood details including wide cornice boards, wide fascia boards and cornice returns.
- Wood details including wall corner boards, wood window surrounds and wood details on first floor of front and primary (east) elevation.
- Brick chimney.
- Original entrance with toplights, sidelights and wood door surrounds.
- Clapboard wall cladding.

## The Secretary of the Interior’s Standards

Two publications provide both the standards and guidelines for analyzing new additions to historic buildings for conformance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties*:

- *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*: Kay D. Weeks and Anne E. Grimmer, U.S. Department of the Interior, National Park Service, 1995, 1998; and
- *Preservation Brief 14, New Exterior Additions to Historic Buildings: Preservation Concerns*: Kay D. Weeks and Anne E. Grimmer, U.S. Department of the Interior, National Park Service, Technical Preservation Services, August 2010.

The *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)* provides the framework for evaluating the impacts of additions and alterations to historic buildings. The *Standards* describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The *Standards* require that the treatment approach be determined first, as a different set of standards apply to each approach. For the proposed project, the treatment approach is rehabilitation. The *Standards* describe rehabilitation as:

In *Rehabilitation*, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the *Standards for Rehabilitation and Guidelines for Rehabilitation* to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.<sup>1</sup>

The ten *Standards* for rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall

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<sup>1</sup> *The Secretary of the Interior's Standards for the Treatment of Historic Properties*: Kay D. Weeks and Anne E. Grimmer, U.S. Department of the Interior, National Park Service, 1995, 62.

be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.  
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **Preliminary Design Review**

*Preservation Brief 14, New Exterior Additions to Historic Buildings: Preservation Concerns* summarizes the goals of designing additions to buildings that would conform to the *Secretary of the Interior's Standards for Rehabilitation*:

A new addition to a historic building should preserve the building's historic character. To accomplish this and meet the *Secretary of the Interior's Standards for Rehabilitation*, a new addition should:

- Preserve significant historic materials, features and form;
- Be compatible; and
- Be differentiated from the historic building.<sup>2</sup>

The subject house's remaining character defining features listed above should be highlighted in the proposed rehabilitation design. To maintain these features, the following recommendations to the submitted conceptual alteration drawings by Peter Spellman Design, Inc., dated 10/18/2021. The primary *Standards* that apply to this project are *Standards 2, 5 and 9*.

*Standards 2 and 5* seek to maintain the historic building's character defining features, which include the "distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property." For the subject Greek Revival-style house, this includes all of the wood details, particularly on the primary (east) elevation, which contains the character-defining entrance with toplights, sidelights and a wide wood door surround in the Greek Revival style; the roof cornice boards, fascia and cornice returns; the wood window surrounds; and the clapboard siding.

Since the porch replacement is a recent addition and is not character defining, removing the picket fence-style porch railing is allowable.

*Standard 9* states: "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment." While the proposed two-story addition is large, the addition is set back from the street and is differentiated adequately from the original house.

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<sup>2</sup> Kay D. Weeks and Anne E. Grimmer, *Preservation Brief 14, New Exterior Additions to Historic Buildings: Preservation Concerns*, 2.



Removal of the 1984 shed outbuilding is permitted, as it is a recent addition to the site and is not character defining.

The following general recommendations refer to the proposed design:

1. Reduce the impact of the two-story rear addition by clipping the upper corners of the ridgeline.
2. While a side dormer is required to achieve upper-floor plate heights, reduce the size of the dormer as much as possible by removing access to the proposed roof deck at this location.
3. The proposed deck is large and obstructs views of the historic house. Suggest removing the upper-floor deck and installing a thinly supported carport to achieve the parking requirement.
4. Given the historic house's original style, it is recommended that wood-sash windows be installed on the historic portions of the building. Multi-pane sash would be appropriate for the Greek Revival style, which typically used 6/6 or 8/8 wood-sash windows.

Please contact me with any questions regarding this preliminary review letter.

Sincerely,



Seth A. Bergstein  
Principal

## Design Permit Design Review Criteria

17.120.070 Design review criteria. When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply.

- A. **Community Character.** The overall project design including site plan, height, massing, architectural style, materials, and landscaping contribute to Capitola's unique coastal village character and distinctive sense of place.
- B. **Neighborhood Compatibility.** The project is designed to respect and complement adjacent properties. The project height, massing, and intensity is compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.
- C. **Historic Character.** Renovations and additions respect and preserve existing historic structure. New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large.
- D. **Sustainability.** The project supports natural resource protection and environmental sustainability through features such as on-site renewable energy generation, passive solar design, enhanced energy efficiency, water conservation measures, and other green building techniques.
- E. **Pedestrian Environment.** The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.
- F. **Privacy.** The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.
- G. **Safety.** The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
- H. **Massing and Scale.** The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
- I. **Architectural Style.** Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.
- J. **Articulation and Visual Interest.** Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and

porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

- K. **Materials.** Building facades include a mix of natural, high quality, and durable materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.
- L. **Parking and Access.** Parking areas are located and designed to minimize visual impacts and maintain Capitola's distinctive neighborhoods and pedestrian-friendly environment. Safe and convenient connections are provided for pedestrians and bicyclists.
- M. **Landscaping.** Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
- N. **Drainage.** The site plan is designed to maximize efficiency of on-site drainage with runoff directed towards permeable surface areas and engineered retention.
- O. **Open Space and Public Places.** Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods. Multifamily residential projects include public and private open space that is attractive, accessible, and functional. Nonresidential development provides semi-public outdoor spaces, such as plazas and courtyards, which help support pedestrian activity within an active and engaging public realm.
- P. **Signs.** The number, location, size, and design of signs complement the project design and are compatible with the surrounding context.
- Q. **Lighting.** Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.
- R. **Accessory Structures.** The design of detached garages, sheds, fences, walls, and other accessory structures relates to the primary structure and is compatible with adjacent properties.
- S. **Mechanical Equipment, Trash Receptacles, and Utilities.** Mechanical equipment, trash receptacles, and utilities are contained within architectural enclosures or fencing, sited in unobtrusive locations, and/or screened by landscaping.

# Capitola Planning Commission

## Agenda Report



**Meeting:** February 2, 2023  
**From:** Community Development Department  
**Topic:** 517 Oak Drive

**Permit Number: #22-0394**

**APN: 035-082-06**

Variance for the required parking dimensions to construct first-story additions without meeting current parking standards. The project is located in the R-1 (Single-Family Residential) zoning district.

The project is located in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15332

Property Owner: Michael & Sara Moore

Representative: Michael & Sara Moore, Filed: 10.20.22

**Applicant Proposal:**

The applicant is requesting a variance for the minimum parking dimensions in order to construct 217 square-feet of first-story additions to an existing single-family residence located at 517 Oak Drive within the R-1 (Single-Family Residential) zoning district.

**Background:**

On, December 30, 2021, the Planning Department approved an administrative permit to construct an attached Accessory Dwelling Unit and demolish the accessory structure.

**Development Standards:**

The following table outlines the zoning code requirements for development in the R-1 (Single-family Residential) zoning district. Proposed figures are based on pending construction plans.

| <b>Floor Area Ratio (FAR)</b>   |  |  |  |
|---------------------------------|--|--|--|
|                                 | <b>Existing</b>                            |  | <b>Proposed</b>  |
| <b>Lot size</b>                 | 2,345 sq. ft.                              |  | 2,345 sq. ft.  |
| <b>Maximum Floor Area Ratio</b> | 58% (Max 1,360 sq. ft.)                    |  | 58% (Max 1,360 sq. ft.)  |
| First Story Floor Area          | 673 sq. ft.                                |  | 890 sq. ft.  |
| Detached Garage                 | 175 sq. ft.                                |  | Demolished   |
| <b>Total FAR</b>                | <b>34.4% (807 sq. ft.)</b>                 |  | <b>38% (890 sq. ft.)</b>   |
| <b>Parking</b>                  |  |  |  |
| Up to 1,500 sq. ft              | <b>Required</b>                            | <b>Existing</b>                            | <b>Proposed</b>  |
|                                 | 2 spaces total<br>0 covered<br>2 uncovered | 2 spaces total<br>0 covered<br>2 uncovered | 2 spaces total<br>0 covered<br>2 uncovered<br><b>Variance Required</b> |

**Discussion:**

The existing residence at 517 Oak Drive a one-story, single-family residence located in the Riverview Terrace neighborhood near Wharf Road and is surrounded by one- and two-story single-family residences.

The application includes a variance to the minimum parking dimensions of two uncovered parking spaces in order to expand the existing dwelling. Capitola Municipal Code Section 17.76.020(C)(2) requires residential uses to provide the full amount of parking when the structure’s floor area is increased by more than ten percent. The proposed 217 square-foot addition will increase the existing 675 square-foot structure by 32 percent.

Design Permit

Pursuant to §17.120.030(B)(1), ground-floor single-story additions up to four hundred square feet in size are exempt from design permit requirements if they are located at the rear of a home. The proposed addition is limited in size and located in the rear and therefore qualifies for the design permit exemption. If the parking variance is granted, the applicant would only need to apply for a building permit, which is a ministerial permit.

Non-Conforming Structure

The existing single-family dwelling does not comply with minimum require first-story side setback along the south property line and is therefore a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure. Staff estimates that the project cost represents at approximately 40 percent of the present fair market value, therefore the additions are permissible.

Variance

The applicant is seeking approval of a variance to allow two uncovered spaces which measure approximately 7-feet wide by 16-feet, 6-inches deep. Uncovered tandem spaces are required to be a minimum of 9-feet by 18-feet. Pursuant to §17.128.060, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

**A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: There are unique circumstance applicable to the subject property, including the lot dimensions and the shared parking development pattern of the adjacent property. The subject property measures 33-feet, 6-inches wide by 70 feet deep, which is narrower than most properties in the vicinity and in underlying zoning district. With the exception of three adjacent lots, the majority of properties in the Riverview Terrace subdivision have lot widths of at least 40 feet. As a result of the width, the lot is also proportionally smaller than other lots. 40-foot by 70-foot lots are already among the smallest development patterns found in the R-1 zoning district.

**B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The substandard lot width and overall size limits parking solutions, regardless of the existing conditions. The strict application of the zoning code requirements for parking dimensions would deprive the subject property of privileges enjoyed by other properties in the same zone.

**C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance is necessary to preserve the ability to construction additions that only require two uncovered parking spaces.

**D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance will not impose any detrimental impacts on the public health, safety, or welfare, or be injurious to properties or improvements in the vicinity or in the same zone as the subject property. The project will provide the required number parking spaces and comply with all other development standards.

**E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance does not grant privileges in excess of the objective development standards applicable to all properties in the vicinity and the within the same zone. The variance allows the property to expand a structure without addressing an existing nonconformity due to the substandard lot dimensions.

**F. The variance will not have adverse impacts on coastal resources.**

Staff Analysis: The variance will not adversely impact coastal resources.

**CEQA:**

Section 15332 of CEQA Guidelines exempts in-fill development projects which meet all conditions within the exemption. The project involves a variance for minimum parking dimensions. The project allows for the ministerial approval of residential additions to an existing single-family residence. The project is located in the R-1 (single-family residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

**Recommendation:**

Staff recommends the Planning Commission **approve** the application #22-0394 based on Conditions and Findings for Approval.

**Attachments:**

- 1. 517 Oak Drive – Plan Set
- 2. 517 Oak Drive – Variance Request

**Conditions of Approval:**

- 1. The project approval consists of a variance to the minimum parking dimensions for two uncovered parking spaces. The proposed project is approved as approved by the Planning Commission on February 2, 2023, 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 Planning Commission approval and the residential design permit exemption or non-discretionary permit.

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. Prior to issuance of building permit, all Planning fees associated with permit #22-0394 shall be paid in full.
5. 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 section 17.156.080.
6. 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.

### Variance Findings

**A. There are There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: There are unique circumstance applicable to the subject property, including the lot dimensions and the shared parking development pattern of the adjacent property. The subject property measures 33-feet, 6-inches wide by 70 feet deep, which is narrower than most properties in the vicinity and in underlying zoning district. With the exception of three adjacent lots, the majority of properties in the Riverview Terrace subdivision have lot widths of at least 40 feet. As a result of the width, the lot is also proportionally smaller than other lots. 40-foot by 70-foot lots are already among the smallest development patterns found in the R-1 zoning district.

**B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The substandard lot width and overall size limits parking solutions, regardless of the existing conditions. The strict application of the zoning code requirements for parking dimensions would deprive the subject property of privileges enjoyed by other properties in the same zone.

**C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance is necessary to preserve the ability to construction additions that only require two uncovered parking spaces.

**D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance will not impose any detrimental impacts on the public health, safety, or welfare, or be injurious to properties or improvements in the vicinity or in the same zone as the subject property. The project will provide the required number parking spaces and comply with all other development standards.

**E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: The variance does not grant privileges in excess of the objective development standards applicable to all properties in the vicinity and the within the same zone. The variance allows the property to expand a structure without addressing an existing nonconformity due to the substandard lot dimensions.

**F. The variance will not have adverse impacts on coastal resources.**

Staff Analysis: The variance will not adversely impact coastal resources.

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

Section 15332 of CEQA Guidelines exempts in-fill development projects which meet all conditions within the exemption. The project involves a variance for minimum parking dimensions. The project allows for the ministerial approval of residential additions to an existing single-family residence. The project is located in the R-1 (single-family residential) zoning district. The project meets all applicable general plan policies and zoning regulations; the project site does not have any identified habitat value; the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site is and can be adequately served by all required utilities and public services.

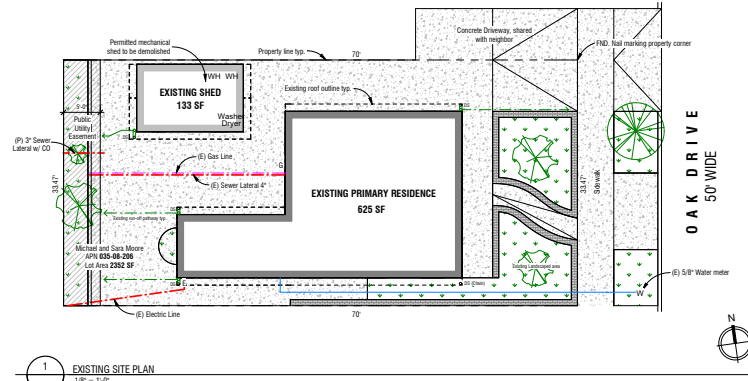
Prepared by Sean Sesanto



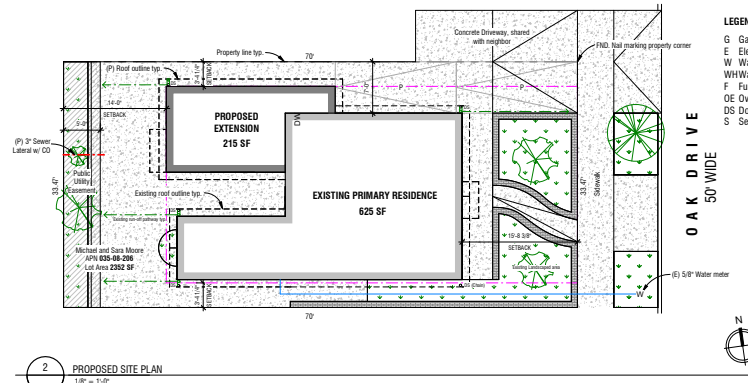
# MOORE RESIDENCE EXTENSION 517 OAK DRIVE



Driveway parking spaces



1 EXISTING SITE PLAN  
1/8" = 1'-0"



2 PROPOSED SITE PLAN  
1/8" = 1'-0"

- LEGEND**
- G Gas Meter
  - E Electric Meter
  - W Water Meter
  - WH Water Heater
  - F Furnace
  - OE Overhead Electric Line
  - DS Downspout
  - S Sewer Cleanout



## PROJECT INFORMATION

**PROJECT DESCRIPTION:**  
Project scope consists of a 215 SF addition, a replace in kind remodel of the existing bathroom, a full roof replacement including the addition of overhangs at the front and rear of the existing house, as well as the installation of a 3.0 kW solar array on the south facing roof plane.

1. PARCEL OWNER/ADDRESS:  
Michael and Sara Moore  
517 Oak Dr.  
Capitola, CA 95010
2. SITE APN: 035-08-206
3. SITE AREA: 2352 SF
4. EASEMENT AREAS: 5' Public Utility Easement at Rear Property line
5. ZONING: R-1  
GENERAL PLAN: Single Family Residential
6. OCCUPANCY GROUP: R-3
7. CONSTRUCTION TYPE: V-B
8. ADU SETBACKS:  
FRONT - N/A  
REAR - 4 FT.  
SIDES - 4 FT.
9. EXIST. BLDG COVERAGE: 625 SF
10. PROPOSED BLDG. COVERAGE: 840 SF
11. BUILDING HEIGHT:  
EXISTING: 12' 2"  
PROPOSED: 13' 6"  
\*FROM AVERAGE GRADE TO ROOF PEAK
12. MAX. ALLOWED HEIGHT: 25'
13. FIRE SPRINKLERS: NONE
14. LOT LINES DERIVED FROM: SURVEY ON SHEET C1
15. EXISTING HOME BUILT: 1942 - REMODELED - 2003

### APPLICABLE CODES & REGULATIONS

ALL WORK SHALL BE PERFORMED IN CONFORMANCE WITH ALL LOCAL, COUNTY, STATE, AND FEDERAL CODES, LAWS, ORDINANCES, AND REGULATIONS APPLICABLE AS FOLLOWS:

- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA PLUMBING CODE
- 2019 CALIFORNIA ELECTRIC CODE
- 2019 CALIFORNIA GREEN BUILDING STANDARDS
- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA RESIDENTIAL CODE
- 2019 CALIFORNIA FIRE CODE
- CAPITOLA MUNICIPAL CODE

### PROJECT DIRECTORY

**OWNERS:**  
Michael and Sara Moore  
517 Oak Dr.  
Capitola, CA 95010

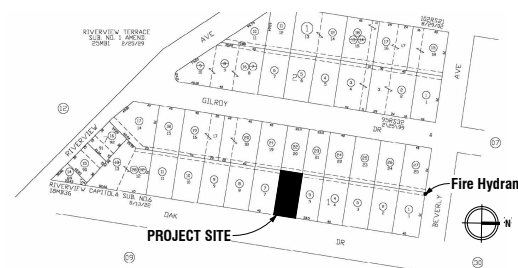
**DESIGN/JOHN WORK**  
SANTA CRUZ GREEN BUILDERS  
303 Potrero St. STE 45-105  
Santa Cruz, CA 95060  
508-737-4646

**CONTRACTOR: SANTA CRUZ GREEN BUILDERS**  
831-419-0514

### BUILDING AREA

- EXISTING**
- PARCEL SIZE: 2,352 SF
  - EXISTING FLOOR AREA: 625 SF
  - EXISTING BUILDING COVERAGE: 26 %
  - EXISTING FAR: 0.25 : 1
  - EXISTING TOTAL IMPERVIOUS AREA: 2,096 SF
- PROPOSED BUILDING AREA**
- PARCEL SIZE: 2,352 SF
  - ADDITION FOOTPRINT: 215 SF
  - PROPOSED FLOOR AREA: 840 SF
  - PROPOSED BUILDING COVERAGE: 36 %
  - PROPOSED FAR: 0.36 : 1
  - PROPOSED TOTAL IMPERVIOUS AREA: 2,096 SF

### VICINITY MAP



### SHEET INDEX

- A1 COVER SHEET
- A2 EXISTING PLAN & ELEVATIONS
- A3 PROPOSED PLAN & ELEVATIONS
- A4 ROOF PLAN AND SECTION
- E1 EROSION CONTROL PLAN AND BMPs
- C1 SURVEY



Prepared by JW

Signed [Signature]

Date 08/11/2022

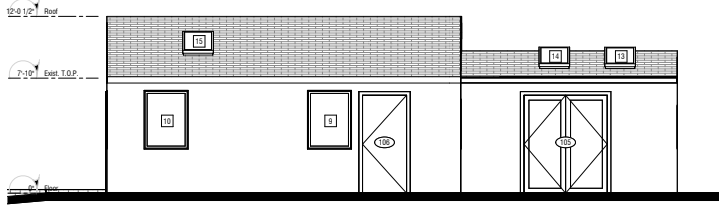
| Rev. No. | Date       |
|----------|------------|
| 0        | 08/11/2022 |

# Moore Residence Extension 517 Oak Drive Michael and Sara Moore

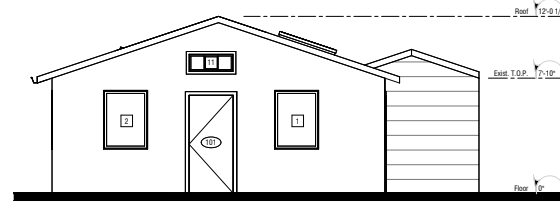
APN 035-08-206

### COVER SHEET

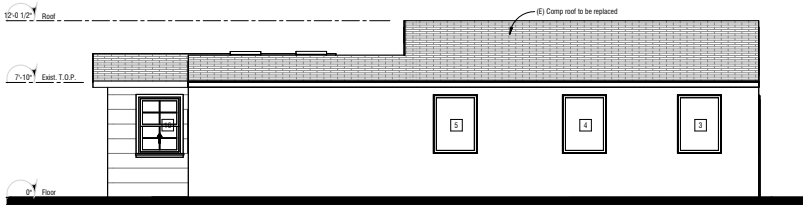
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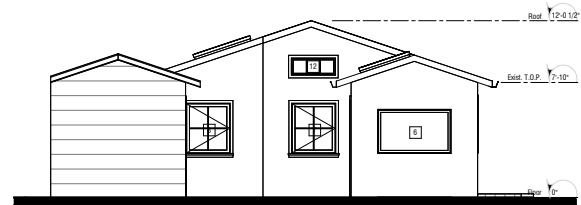
1 NORTH ELEVATION EXISTING  
1/4" = 1'-0"



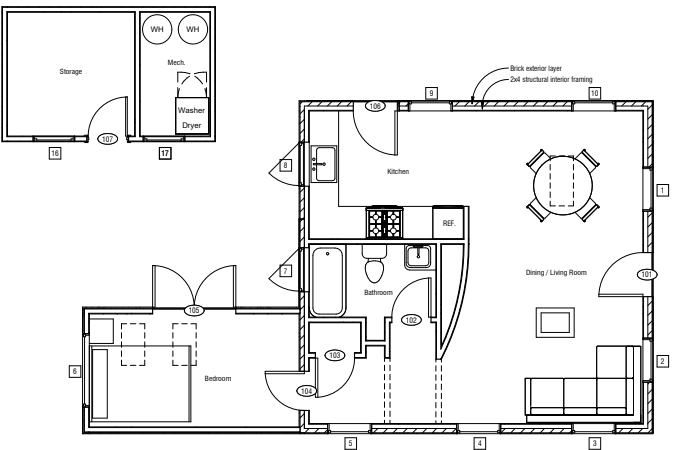
2 EAST ELEVATION EXISTING  
1/4" = 1'-0"



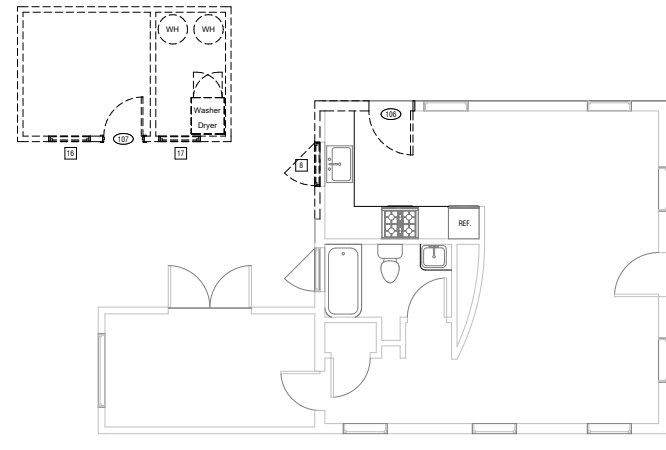
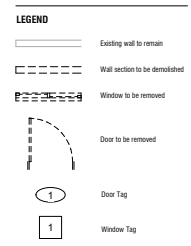
3 SOUTH ELEVATION EXISTING  
1/4" = 1'-0"



4 WEST ELEVATION EXISTING  
1/4" = 1'-0"



5 EXISTING FLOOR PLAN  
1/4" = 1'-0"



6 DEMOLITION PLAN  
1/4" = 1'-0"

Prepared by JWJ

Signed *[Signature]*

Date 08/11/2022

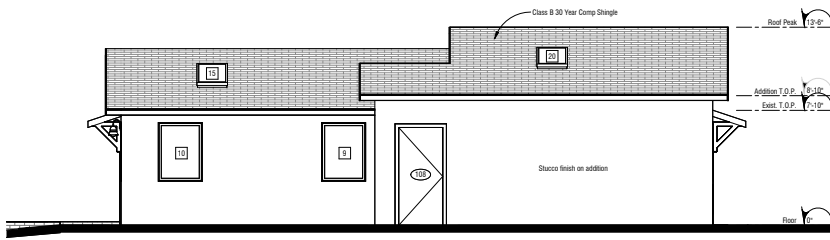
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| 0        | 08/11/2022 |
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**Moore Residence Extension**  
517 Oak Drive  
Michael and Sara Moore

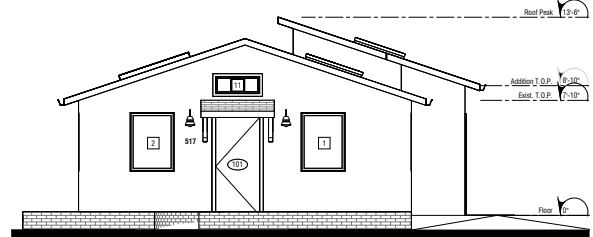
APN 035-08-206

**PROPOSED PLAN & ELEVATIONS**

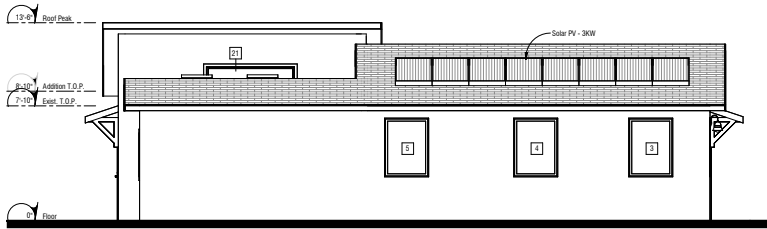
**A3**



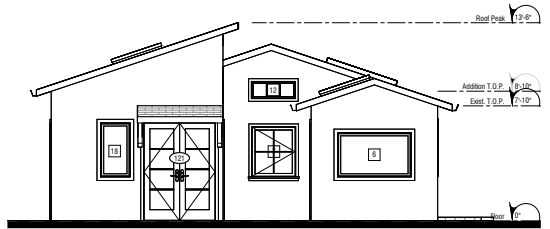
1 NORTH ELEVATION PROPOSED  
1/4" = 1'-0"



2 EAST ELEVATION PROPOSED  
1/4" = 1'-0"



3 SOUTH ELEVATION PROPOSED  
1/4" = 1'-0"



4 WEST ELEVATION PROPOSED  
1/4" = 1'-0"

| DOOR SCHEDULE |        |        |          |           |            |              |
|---------------|--------|--------|----------|-----------|------------|--------------|
| NO.           | WIDTH  | HEIGHT | MATERIAL | FINISHING | COMMENTS   | NEW/EXISTING |
| 101           | 3'-0"  | 6'-8"  |          |           |            | Existing     |
| 102           | 2'-0"  | 6'-8"  |          |           |            | Existing     |
| 103           | 2'-0"  | 6'-8"  |          |           |            | Existing     |
| 104           | 2'-0"  | 6'-8"  |          |           |            | Existing     |
| 105           | 3'-0"  | 6'-8"  |          |           |            | Existing     |
| 106           | 3'-0"  | 6'-8"  |          |           |            | Existing     |
| 107           | 2'-0"  | 6'-8"  |          |           | Demolished | Existing     |
| 108           | 2'-0"  | 6'-8"  |          |           | Demolished | Existing     |
| 109           | 2'-0"  | 6'-8"  |          |           |            | New          |
| 110           | 2'-0"  | 6'-8"  |          |           |            | New          |
| 111           | 2'-0"  | 6'-8"  |          |           |            | New          |
| 112           | 6'-0"  | 6'-8"  |          |           |            | New          |
| 121           | 4'-10" | 6'-8"  |          |           |            | New          |

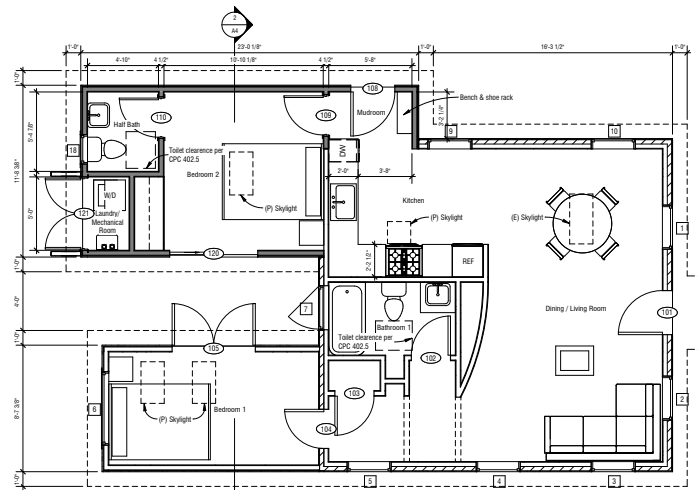
**GENERAL NOTES**

- All building materials with visible signs of moisture damage shall not be installed. Wall and floor framing shall not be enclosed when the framing members exceed 19% moisture content. Any insulation products which are visibly wet or have a high moisture content shall be replaced or allowed to dry prior to enclosure in wall or floor cavities. Moisture content shall be verified in compliance with CalGreen 4.505.3.
- Windows and glazed doors must have labels for the "U" and "SHGC" factors that are required by the Title 24 energy documentation.
- DO NOT REMOVE NFRC labels from windows until field verification is complete.
- A minimum of 65% of the construction and demolition waste will be recycled, reused on the project, or salvaged for later use or sale per CGBC 4.408.1.
- Annular spaces around pipes, electrical cables, conduits, etc. will need to be filled to prevent rodent intrusion CGBC 4.406.1.
- Per CEC 110.7 All joints, penetrations, and other openings in the building envelope that are potential sources of air leakage shall be caulked, gasketed, weather stripped, or otherwise sealed to limit infiltration and exfiltration.
- New appliances shall be Energy Star appliances per Santa Cruz County Code 4.201.1.2.
- The operable skylight opening shall be minimum 10' away and 3' below any plumbing vent roof terminations at new ADU per CPC 908.2.
- Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter. CRC 337.5.4.
- ADU efficiency kitchen to include an apartment sized refrigerator (13-15 cu ft) and an apartment sized range (minimum 2-burner with oven) to meet independent living facilities of CRC Chapter 2.
- Landscaped areas to slope away from structures at a minimum of 2%.
- Foundation to incorporate approx. 35% recycled flyash in concrete.
- Insulate foundation/slab before backfill.
- Install recycled-content/formaldehyde free insulation.

| WINDOW SCHEDULE |        |        |              |                 |              |                  |
|-----------------|--------|--------|--------------|-----------------|--------------|------------------|
| NO.             | WIDTH  | HEIGHT | GLASS HEIGHT | COMMENTS        | NEW/EXISTING | TEMPERED GLAZING |
| 1               | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 2               | 2'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 3               | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 4               | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 5               | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 6               | 3'-0"  | 3'-0"  | 3'-0"        |                 | Existing     |                  |
| 7               | 3'-0"  | 3'-0"  | 3'-0"        |                 | Existing     |                  |
| 8               | 3'-0"  | 3'-0"  | 3'-0"        | Demolished      | Existing     |                  |
| 9               | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 10              | 3'-0"  | 4'-0"  | 3'-0"        |                 | Existing     |                  |
| 11              | 3'-0"  | 1'-2"  | 5'-10"       |                 | Existing     |                  |
| 12              | 3'-0"  | 1'-2"  | 6"           |                 | Existing     |                  |
| 13              | 2'-0"  | 3'-0"  |              |                 | Existing     |                  |
| 14              | 2'-0"  | 3'-0"  |              |                 | Existing     |                  |
| 15              | 2'-0"  | 4'-0"  |              |                 | Existing     |                  |
| 16              | 2'-10" | 3'-10" | 3'-0"        | Demolished      | Existing     |                  |
| 17              | 2'-10" | 3'-10" | 3'-0"        | Demolished      | Existing     |                  |
| 18              | 2'-0"  | 3'-0"  | 3'-0"        |                 | New          |                  |
| 19              | 2'-0"  | 3'-0"  | 3'-0"        | Manual operable | New          |                  |
| 20              | 2'-0"  | 3'-0"  | 3'-0"        |                 | New          |                  |
| 21              | 8'-0"  | 2'-0"  | 8'-0"        |                 | New          |                  |

**NOTES**

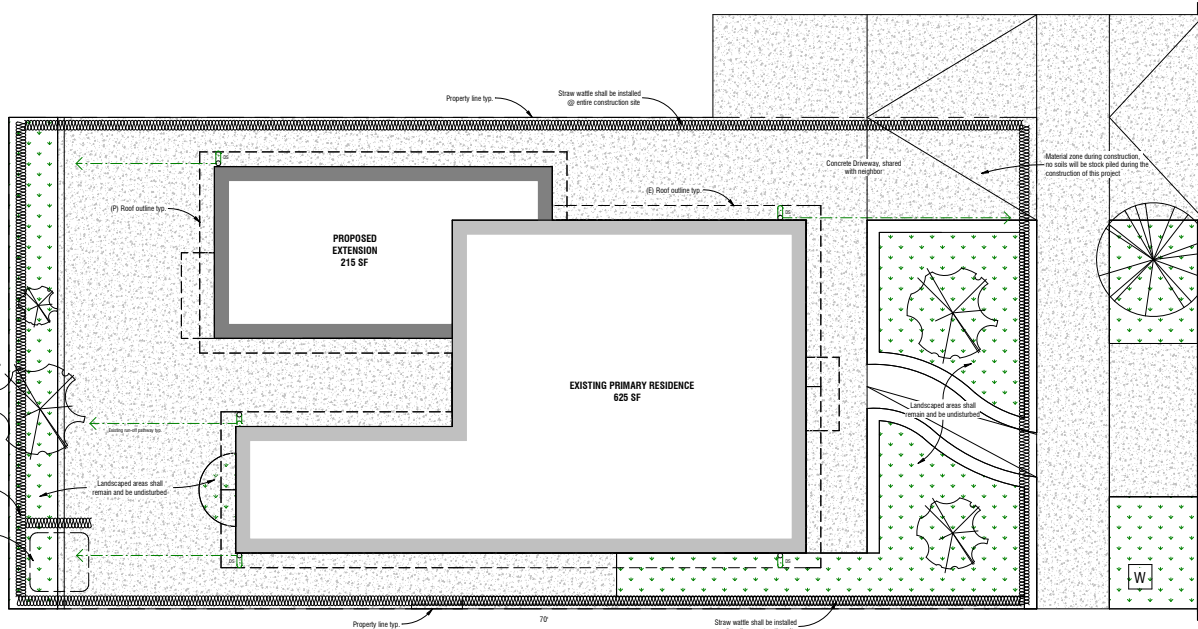
- DO NOT REMOVE NFRC labels from windows until field verification is complete.
- All exterior landings max 7.75 in. below door threshold per CRC 311.3.1.2.
- Bedroom emergency escape and rescue opening per CRC 310.3 shall have a net clear opening of not less than 5.7 sq.ft. (CRC 310.2.1).
- Address numbers shall be a minimum of 4" in height, 1/2" in width, and be color contrasting to their background. Numbers shall be posted and maintained.
- Windows and glazed doors must have labels for the "U" and "SHGC" factors that are required by the Title 24 energy documentation. All new doors and glazing in new doors shall have a maximum U-value of 0.32.



5 PROPOSED FLOOR PLAN  
1/4" = 1'-0"

- All dimensions are drawn from face of framing.
- Contractor shall verify all interior dimensions prior to start of work and prior to any cabinet construction.





EROSION CONTROL PLAN NOTES:
• All BMPs, sediment and erosion control measures shall be installed prior to the start of construction; and shall be maintained throughout project duration.
• Keep work site clear of debris & be aware of tracking mud, dirt, gravel into the street, cover all stockpiles. Practice good housekeeping and implement stormwater BMPs.

1 EROSION CONTROL AND SITE DRAINAGE PLAN 1/4" = 1'-0"

Stormwater Pollution Prevention and Protection for Construction Projects
The City of Capitola, water is sensitive, quality, and clean water flows directly to local creeks and flowing systems without any treatment. When debris, paint, concrete and other harmful pollutants from construction sites and home construction projects get spilled, leaked or washed into the street or storm drain they can damage sensitive creek habitats and end up polluting our bay and ocean.

- 1. Clean up leaks, spills and drips immediately as they flow. Do not contain them on the lot or curbside but have ready on-site spill containment.
2. Portable toilets are used, ensure that the housing company properly maintains the toilets and promptly makes repairs.
3. Concrete wash operations for trucks.
4. Contact vegetation and trees from accidental damage from construction activities by surrounding them with fencing or tree wrapping.

- 1. Erosion control devices, systems, and settings devices that be selected, installed and maintained properly.
2. Silt fences must be installed so that the drainage around each fence does not create additional erosion and fills down slope of the fence.
3. If silt fences are used to filter sediment runoff, the silt fences are actually filtering the water (and not just causing the water to travel around the hole) and that the silt fences are not clogged into the storm drain system.

- 1. Painting, Varnish and Application of Solvents & Adhesives
2. Concrete, Cement, & Masonry Products
3. Bitum Clean Up
4. Stormwater Pollution Prevention and Protection for Construction Projects

NOT TO SCALE  
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CHECKED BY: [Signature]

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DRAWN BY: [Signature]  
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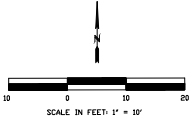
**MID COAST ENGINEERS**  
**CIVIL ENGINEERS AND LAND SURVEYORS**  
 70 PENNY LANE, SUITE A WATSONVILLE, CA 95076 - (831) 724-2580



**PLOT PLAN**  
 LOT 6, RIVERVIEW TERRACE SUBDIVISION NO. 1, AS SHOWN ON  
 THAT MAP FILED IN VOLUME 25 OF MAPS, PAGE 1, SANTA  
 CRUZ COUNTY RECORDS.  
 517 OAK STREET CAPITOLA CALIFORNIA  
 SANTA CRUZ COUNTY

|           |             |
|-----------|-------------|
| SCALE:    | 1" = 10'    |
| DATE:     | JAN 19 2022 |
| DRAWN BY: | AB          |
| JOB NO:   | 212066D1    |
| SHEET:    |             |

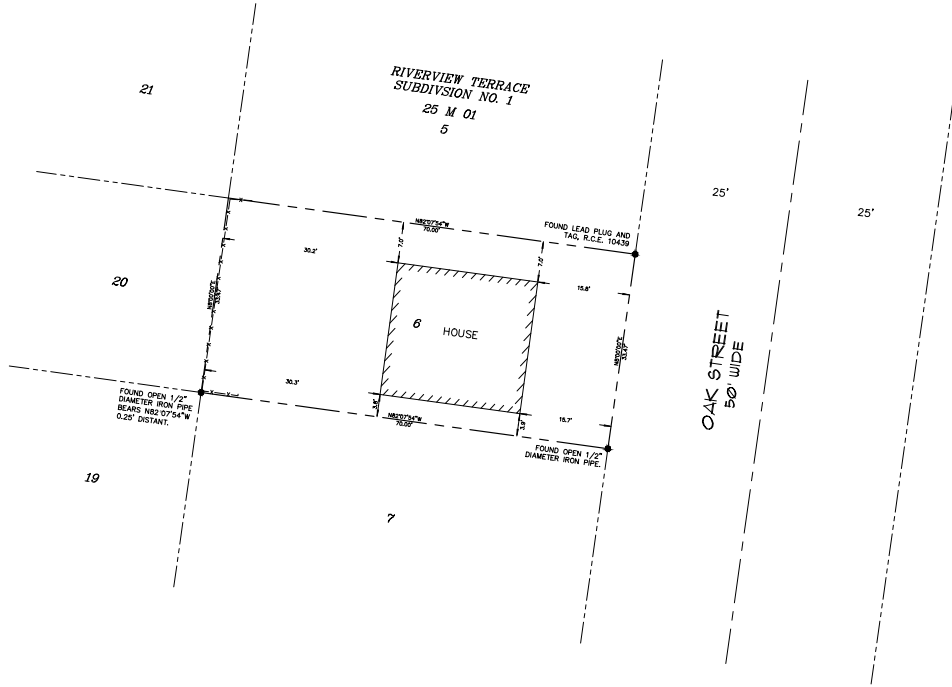
1  
 OF 1 SHEETS



**BASIS OF BEARINGS**  
 FOR THIS SURVEY IS BETWEEN FOUND MONUMENTS ALONG THE EASTERN BOUNDARY OF LOT 6 AS SHOWN ON 25 M 01 NB 00E

- LEGEND**
- SET 1/2" IRON PIPE WITH PLASTIC CAP, STAMPED LS 6832
  - FOUND MONUMENT AS SHOWN
  - SUBJECT BOUNDARY
  - ADJOINER BOUNDARY
  - x-x-x- FENCE
- DISTANCES ARE IN FEET AND DECIMALS THEREOF.

SURVEYED ON DECEMBER 20, 2021 AT THE REQUEST OF SANTA CRUZ GREEN BUILDERS.





# City of Capitola Variance Application Form

## Variance Summary

Please explain your Variance request and the development standard(s) which you would like to modify.

We would like to request either relief from section 17.76.020 requiring us to provide 2 parking spaces,  
or a reduction in the required size of said spaces per 17.76-3 to 7' x 16.5' which represents the  
maximum size possible for two parking spaces on this lot.

## Required Findings

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.

- A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

The subject property is abnormally small compared to other lots in the zone district and the immediate vicinity. As shown on the Assessor's parcel map - the width of the property is smaller than all other properties on the street except for one, and that is the one with which an insufficient driveway is shared.

- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Other properties in the zone that meet the minimum lot size of 5,000 SF enjoy the privilege of having enough space to meet all development standards. The location of existing structures, not built by the current owners, and the abnormal size of the lot deprive the subject property of such privilege.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

All alternative options to allow for the construction of an additional bedroom - which is necessary to provide housing for the property owners child - have been considered. This request represents the best option with the minimum variance possible to provide such reasonable use enjoyed by others.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

The proposal will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity.

E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

The size of the addition being proposed is well within development standards, it is not special.

The reason a variance is being requested is because the small lot size triggers the "10%" increase of section 17.76.020.C.2. This scale of addition would be feasible on many other properties in the zone.

F. The variance will not have adverse impacts on coastal resources.

The variance will not have adverse impacts on coastal resources



# Capitola Planning Commission

## Agenda Report

**Meeting:** February 2, 2023

**From:** Community Development Department

**Address:** Citywide Housing Element



**Permit Number:** 23-0019

**APN:** Citywide

Introduction to Housing Element Update

Environmental Determination: TBD

Property Owner: Citywide

Representative: Brett Stinson and Diane Bathgate, RRM Design Group; Veronica Tam, VTA, Inc.

**Background:** The City's current, 2015-2023 Housing Element, which was adopted by the City Council in 2015 and certified by the State of California in 2016, is in effect through December 2023. As a result, the City is required by law to update its Housing Element for the 2023-2031 planning period (also known as the sixth cycle) and have the Housing Element adopted and certified by HCD by December 31, 2023. Toward this end, in May 2022, the City Council awarded a contract to RRM Design Group for the preparation of the City's 2024-2031 Housing Element. Since then, RRM Design Group and City staff have commenced preparing the updated Housing Element, and an assessment of existing and projected housing needs, as well as a review of the City's existing Housing Element are underway. In addition, pursuant to applicable State housing law, the City has started its efforts towards achieving and soliciting public participation from all segments of the community in the preparation of the Housing Element.

In accordance with applicable State housing law, local governments are legally required to adopt plans and programs for housing that provide opportunities for and do not unduly constrain housing development. The Housing Element, which is one (1) of the seven (7) State-mandated components of a city's General Plan, is therefore a mechanism by which the State requires local jurisdictions to provide a variety of housing options and strive toward reaching regional housing needs, while maintaining civic and local responsibility toward economic, environmental, and fiscal factors, and community goals stated within adopted General Plan documents. Housing Elements are required to be updated every eight (8) years and are required to be certified by the State of California Department of Housing and Community Development (HCD), in order for HCD to ensure that cities are taking necessary steps to promote the creation of housing for all income categories and of all housing types.

### Discussion:

#### 5<sup>th</sup> Cycle Housing Element Accomplishments

Unlike State housing law, the composition and condition of Capitola's housing stock has remained relatively stable during the past housing cycle. Between 2015-2021, 1 very low income, 2 moderate income units, and 39 above moderate income units were developed in Capitola. Moderate income units include secondary dwelling units and above moderate income units include new and replacement home construction. In addition, Capitola has accomplished the following during the 2015-2023 5<sup>th</sup> cycle:

- Updated the entire zoning code; commercial corridors updated to include mixed-use
- Adopted Objective Design Standards for all multi-family and mixed-use

- Adopted a prototype ADU design (building plan-ready)
- Created an ADU Guidance Document for the public
- Updated Inclusionary Housing Ordinance and housing impact fees
- Funded emergency housing program and rental assistance for low income
- CDBG mobile home rehabilitation programs (8) and down payment assistance program (1)

### **Housing Element Compliance**

Failure to comply with applicable Housing Element law, or to incorporate the abovementioned statutory requirements in a Housing Element, may result in HCD issuing findings of non-compliance and withholding certification of a Housing Element. In such cases, the respective city may be subject to significant consequences, including disqualification from obtaining certain funding grants or bonds from the State of California, suspension or termination of various State-issued proposition funds, potential litigation, the imposition of a moratorium on land use approvals and building permit issuance, the potential loss of post-redevelopment dissolution funds (Housing AssetFunds), and the requirement to update the associated Housing Element on a four (4) year planning cycle, rather than an eight (8) year cycle. In addition to facing significant fines, a court may limit local land use decision-making authority until the jurisdiction brings its Housing Element into compliance. Additionally, the City may lose eligibility for housing-related grant funding such as SB 2 Planning Grants and CalHome funds, among others.

### **Housing Element Key Components**

State law (California Government Code Sec. 65583 et seq) sets forth requirements for Housing Elements and related land use regulations related to housing. The Draft 2023-2031 6<sup>th</sup> cycle Housing Element will include the following components:

- **Background Information:** A housing needs assessment which identifies and analyzes the existing and projected housing needs within the City by examining demographic, employment, and housing trends and conditions, with attention paid to special housing needs (e.g., seniors, large families, persons with disabilities).
- **Constraints on Housing Analysis:** An analysis of existing and potential governmental and nongovernmental barriers to housing development.
- **Housing Resources:** An inventory of resources relevant to meeting the City's housing needs.
- **Housing Plan:** A statement of goals, policies, quantifiable objectives, and financial resources available for the preservation, improvement, and development of housing.
- **Evaluation of Past Performance:** Review of the 2015-2023 5<sup>th</sup> cycle Housing Element to measure progress and effectiveness of housing and outreach policies and programs.
- **Public Participation:** Implement a robust community engagement program, reaching out to all economic segments of the community plus traditionally underrepresented groups.
- **Sites Inventory:** Identify locations of available sites for housing development or redevelopment to ensure there is enough land zoned for housing to meet the future need at all income levels.

### **Housing Element Goals**

The City of Capitola 2023-2031 Housing Element will have the following housing goals:

- **Goal 1:** Protect existing stable, single-family neighborhoods throughout the City.

- Goal 2: Encourage the development of a range of housing types in a range of prices affordable to all Capitola residents.
- Goal 3: Encourage the maintenance and upgrading of existing housing stock to ensure a decent, safe, and sanitary home for all Capitola residents.
- Goal 4: Support federal and State laws that prohibit discrimination of protected classes under State and federal fair housing laws.

### **Regional Housing Needs Allocation (RHNA)**

The Regional Housing Needs Allocation (RHNA) is mandated by State law to quantify the need for housing throughout the State. This informs the local planning process to address existing and future housing needs resulting from projected state-wide growth in population, employment, and households. Every City and County in California must plan for its fair share of the region's housing need, as determined through the RHNA process. HCD identifies the total housing need for each region of the state. In the Monterey Bay region, the Association of Monterey Bay Area Governments (AMBAG) distributes this regional need to local governments. Once a local government has received its RHNA, it must revise its Housing Element to demonstrate how it plans to accommodate its portion of the region's housing need.

AMBAG approved HCD's RHNA units requirement for the 2015-2023 5<sup>th</sup> cycle on June 11, 2014. Capitola's 5<sup>th</sup> cycle RHNA requirement was 143 units, which was the same requirement as the previous 4<sup>th</sup> cycle. AMBAG is requiring 1,336 housing units for the current 2023-2031 6<sup>th</sup> cycle.

It is important to note that the Housing Element is a policy document, and no actual development is proposed as part of the adoption of the housing element. Further implementation actions will need to be undertaken in accordance with state law (Assembly Bill 1398) in order to realize the development of housing units which will be primarily undertaken by private and nonprofit developers on private property.

### **Housing Programs**

During the 2015-2023 5<sup>th</sup> cycle Housing Element update, the City adopted 32 programs that strive to accommodate housing through preservation, improvement, and the development of new housing units. Moreover, opportunity sites identified in the 2015-2023 5<sup>th</sup> cycle Housing Element could provide a total of 75 units for very low- and low-income households which exceeded the 57 unit RHNA requirement by 18 units.

Strategies and programs identified within the Housing Plan focus on the following list. Specific goals, policies, and programs to accomplish each of these will be identified within the Housing Plan section of the draft housing element.

- Conserve and improve existing housing stock;
- Assist in the development of affordable housing;
- Improve the safety, quality, and existing housing condition;
- Facilitate housing development for all income levels and household types, including special needs populations and new affordable housing.
- Remove governmental constraints to housing development; and
- Promote fair housing opportunities for all.

## New Housing Element Requirements

Recent changes to state law have imposed new requirements for the Housing Elements which introduces substantial challenges to the City's ability to identify sites to accommodate their required RHNA allocation. New Housing Element requirements include:

- **Higher RHNA Allocations:** The City's 2015-2023 Housing Element RHNA allocation was 143 units, including 57 lower-income units. Comparatively, the 2023-2031 Housing Element RHNA allocation of 1,336 units, including 712 lower-income units, is approximately 9.3 times higher than the previous element's allocation.
- **Affirmative Further Fair Housing (AFFH):** Assembly Bill (AB 686), passed in 2018, as the statewide framework to affirmatively further fair housing (AFFH) to promote inclusive communities, further housing choice, and address racial and economic disparities through government programs, policies, and operations. AB 686 defines "affirmatively furthering fair housing" to mean "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity" for persons of color, persons with disabilities, and other protected classes. The bill added an assessment of fair housing to the housing element which includes the following components: a summary of fair housing issues and assessment of the City's fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities, an assessment of contributing factors, and an identification of fair housing goals and actions.
- **Eligible Lower-Income Sites:** There are new regulations on the extent to which the City can reuse sites included in previous Housing Elements and increased scrutiny of small, and non-vacant sites when these sites are proposed to accommodate units for very low- and low-income households.
- **No Net Loss:** A 2017 amendment to Government Code Section 65863 (No Net Loss) requires that jurisdictions preserve sufficient and available sites for lower-income housing throughout the RHNA planning period at all times. The City cannot permit the reduction of residential density for any site unless the reduction is consistent with the adopted General Plan, including the Housing Element. Additionally, if the City allows development of any site with less units by income level than identified in the Housing Element for that site, it must determine if the remaining sites identified in the housing element are adequate to meet that need by income level. If sites identified for lower-income housing are developed with less units than identified in the Housing Element or developed for a higher income group, the City shall either identify and rezone adequate substitute sites or demonstrate that the land inventory already contains adequate substitute sites so that there is no net loss of residential unit capacity.

## Sites Inventory and Density

The City must demonstrate in its Housing Element the ability to meet its RHNA allocation, through the provision of sites suitable for residential development. To meet the assigned housing needs, the Housing Element will identify sites that may be suitable for residential development including vacant and non-vacant sites throughout the City. In addition, the City will include an estimate of Accessory Dwelling Units projected to be constructed during the planning period based on development trends. The sites inventory analysis will demonstrate that the City has adequate capacity to accommodate the RHNA for the 2023-2031 6<sup>th</sup> cycle planning period. The City will also be required to specify the projected housing type/density for each identified site.

The statutory deadline for the Housing Element update is December 31, 2023. State law requires that the adequate sites for RHNA must be available for the entire duration of the Housing Element planning

period. Therefore upon the deadline of the Housing Element update, adequate sites (with appropriate designation/zoning and development standards) must be available, or the Housing Element must commit to a program to address the shortfall of sites within a specified timeframe.

If sites are made available AFTER the statutory deadline (through rezoning), those sites are subject to higher standards:

- Zoning districts and sites to accommodate lower income RHNA must provide a density range with a minimum density of 20 du/ac and a maximum density of at least 20 du/ac
- Sites for lower income RHNA must be able to accommodate at least 16 units on site
- Nonresidential zones to accommodate lower income RHNA must allow standalone residential and for mixed use development – cannot require more than 50% of the floor area as nonresidential
- Must permit by right approval if project includes 20% affordable to lower income

If sites are made available BEFORE the statutory deadline (through rezoning), these conditions do not apply. To avoid the above conditions, the rezoning must be completed on or before the statutory deadline of December 31, 2023, AND concurrent or before the Housing Element adoption.

The rezoning process also requires a minimum six-month review period by the California Coastal Commission. Staff would like direction from the Planning Commission to evaluate the necessary density zoning adjustments for the Updated Housing Element and to work toward Planning Commission, City Council and California Coastal Commission approval of density rezoning before the end of this year (2023) to avoid unwanted complications and/or restrictions.

### **Public Participation**

The 2023-2031 Housing Element update process has provided, and will continue to provide, residents and other interested parties with opportunities to review draft documents and proposed policies, and to provide recommendations for consideration by decision-makers pursuant to Government Code §65583. To date, the following public outreach efforts have been made during the update process:

- Online Housing Needs Survey (currently ongoing)
- Stakeholder Interviews

The following public outreach efforts will be conducted throughout the remainder of the update process:

- Planning Commission Study Session (February 2, 2023)
- City Council Meeting (February 9, 2023)
- Community Workshop #1 (February 2023, date TBD)
- Public Review of Draft Housing Element (30 days; Spring 2023)
- Community Workshop #2 (During Public Review period)

### **Next Steps**

City staff and RRM will coordinate on providing the following for the 6<sup>th</sup> cycle Housing Element Update:

- Proceed with the sites inventory analysis;
- Host two community workshops;
- Draft the Housing Element document and housing programs;

- Periodically report to the Planning Commission for recommendations and input;
- Prepare and refine draft CEQA documents;
- Submittal to HCD (14 days after close of Public Review)
- HCD Mandatory Review of Draft Housing Element (90 days)
- Respond to HCD comments
- Conduct Planning Commission/City Council hearings for adoption of the Housing Element (Fall/Winter 2023)

As part of the upcoming process, the draft housing element will be available for public review and will require an initial review period by HCD of 90 days. Subsequent review cycles of review by HCD will be in increments of 30 days.

**Recommendation:** Staff requests the Planning Commission accept the presentation introducing the Housing Element Update, ask clarifying questions related to the presentation, and provide feedback regarding Capitola housing in general, including location, type, and density of future housing. Direct staff to evaluate the necessary density zoning adjustments for the Updated Housing Element and to work toward Planning Commission, City Council and California Coastal Commission approval of density rezoning before the end of this year (2023) to avoid unwanted complications and/or restrictions.