

City of Capitola

Planning Commission Meeting Agenda

Thursday, March 03, 2022 – 7:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Peter Wilk

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

Please review the Notice of Remote Access for instructions on participating in the meeting remotely. The Notice of Remote Access is at the end of the agenda.

All correspondences 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.

All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.

1. Roll Call and Pledge of Allegiance

Commissioners Mick Routh, Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk

2. New Business

3. 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

4. Approval of Minutes

A. January 20, 2022, Regular Planning Commission Meeting Minutes

B. February 3, 2022, Regular Planning Commission Meeting Minutes

5. 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. SB9 Ordinance Applicable to Single-Family Zone

Permit Number: #22-0079

APN: Applicable to all parcels in R-1 (Single-Family) Zone

Project Description: Request to Continue. Amendments to the Capitola Municipal Code, Adding Section 17.75 Two-Unit Developments to Title 17, Part 3 (Zoning, Citywide Standards), Adding Section 16.78 Urban Lot Splits to Title 16 (Subdivisions), Amending Section 17.74 Accessory Dwelling Units, and Amending Section 16.08 Definitions for the implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and Two-Unit Developments.

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

Property Owner: Ordinance applies in the R-1 (Single-Family) zoning district

Representative: Katie Herlihy, Community Development Director

B. 106 Cliff Avenue

Permit Number: #21-0404

APN: 036-112-17

Design Permit and Historical Alteration Permit for additions to a historic single-family residence, a new detached single-story accessory structure that includes an accessory dwelling unit (ADU) and garage, and a Variance for the maximum height of the primary structure. The permit includes the demolition of two non-historic accessory structures behind the primary residence. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals.

Environmental Determination: Categorical Exemption

Property Owner: Sam Abbey

Representative: Cove Britton, Filed: 09.07.21

6. 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. Right-of-Way in front of 709 Escalona Drive

Permit Number: #21-0494

APN: N/A (in Public Right-of Way)

Coastal Development Permit for Soquel Creek Water District to construct a new four (4) inch diameter monitoring well within the R-1 (Single Family Residential) district. The project is located within the Coastal Zone and requires a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15306

Property Owner: City of Capitola

Representative: Skyler Murphy for Soquel Creek Water District

B. 501 El Salto Drive

Permit Number: #21-0548

APN: 036-144-11

Tree Removal Permit to remove seven palm trees, a Design Permit to allow a fence that exceeds the maximum height standard, and a Major Encroachment Permit for a fence in the public right-of-way located within the R-1 (Single-Family Residential) zoning district. This project is within the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Ducky Grabill

Representative: Michael Grabill, Filed: 11.23.21

C. Report on Upper-Floor Decks

Planning staff response to Planning Commission request for information on how other jurisdictions regulate upper-floor decks and how the City processed upper-floor decks under the prior version of the Zoning Ordinance

7. Director's Report

8. Commission Communications

9. Adjournment

Notice of Remote Access

In accordance with California Senate Bill 361, the Planning Commission meeting is not physically open to the public and in person attendance cannot be accommodated.

Watch:

- Online: <https://www.cityofcapitola.org/meetings> or <https://www.youtube.com/channel/UCJgSsB5qqoS7CcD8lq9Yw1g/videos>
- Spectrum Cable Television channel 8

Join Zoom by Computer or by Phone:

Click this Meeting link:

<https://us02web.zoom.us/j/84526608720?pwd=ekFFRnozQnBQblgwNUVsbUs5N0tUQT09>

Or Call one of the following Phone Numbers: - **1 (669) 900 6833 OR 1 (408) 638 0968 OR- 1 (346) 248 7799**

Meeting ID: **845 2660 8720**

Meeting Passcode: **711785**

To participate remotely and make public comment:

- Send email:

- As always, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Wednesday before the meeting and they will be distributed to agenda recipients.
- During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
- Identify the item you wish to comment on in your email's subject line.
- Emailed comments will be accepted during the Public Comments meeting item and for General Government / Public Hearing items.
- Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
- Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
- Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
- Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.

- Zoom Meeting (Via Computer or Phone):

If using computer: Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak

If called in over the phone: Press *6 on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 3 minutes.

Appeals: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review Design Permit can be appealed to the City Council within the (10) working days following the date of the Commission action. 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 writing, 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: <https://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 Youtube channel.



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
Thursday, January 20, 2022
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. NEW BUSINESS

A. Nomination of Chair and Vice Chair

MOTION: Appoint Commissioner Peter Wilk as Chair of the Planning Commission.

RESULT: ACCEPTED [4 TO 0]
MOVER: Ed Newman
SECONDER: Susan Westman
AYES: Ed Newman, Mick Routh, Susan Westman, Peter Wilk
ABSENT: Courtney Christiansen

MOTION: Appoint Commissioner Westman as Vice Chair of the Planning Commission.

RESULT: ACCEPTED [4 TO 0]
MOVER: Ed Newman
SECONDER: Mick Routh
AYES: Ed Newman, Mick Routh, Susan Westman, Peter Wilk
ABSENT: Courtney Christiansen

3. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Director Herlihy noted that additional comments were received late this afternoon regarding 115 Saxon, which is on the agenda as item #5B.

Commissioner Wilk asked other members if they had the chance to review that additional input.

Commissioner Routh stated concerns around SB9 He urged the Planning Commission to act to support the repeal of that State law sometime soon.

B. Public Comments

C. Commission Comments

Commissioner Newman acknowledged Commissioner Routh's service as Chair of the Planning Commission in the past year, although it was mostly virtual. Commissioner Westman concurred.

D. Staff Comments

Director Herlihy introduced two new city employees: Louis Osemwegie, Deputy City Clerk; and Brian Froelich, Senior Planner.

Director Herlihy also provided an update to the Commission on her attendance in AMBAG Planning Director's Meetings. The city will be assigned RHNA numbers for Affordable Housing Development and will update the housing element of its General Plan. In the current 5th Cycle, Capitola was assigned 145 units of affordable housing within the city. Under the new methodology, Capitola will be assigned 1300 new units.

4. CONSENT CALENDAR

A. SB9 Ordinance for Urban Lot Splits and Two-Unit Developments

Request to Continue Amendments to the Capitola Municipal Code adding Section 16.78 Urban Lot Splits, adding Section 17.108 Two-Unit Developments, amending Section 16.08.020 Definitions, and amending Section 17.74.040 Accessory Dwelling Units, for the implementation of Government Code Section 66411.7 and 65852.21 related to urban lot splits and two-unit developments.

The ordinance is "not a project" under the California Environmental Quality Act (CEQA) pursuant to Section 65852.21(j) and 66411.7(n) of the Government Code.

The update involve developments within the Coastal Zone and is not effective within the Coastal Zone unless certified by the California Coastal Commission.

Applicant: City of Capitola

Representative: Katie Herlihy, Community Development Director

Commissioner Routh pulled item 4.B 1515 Prospect Avenue for public hearing

Motion: approve the Consent Calendar with item 4.A only; Approve the request to continue Item 4.A

RESULT: ACCEPTED [4 TO 0]

MOVER: Susan Westman

SECONDER: Mick Routh

AYES: Ed Newman, Mick Routh, Susan Westman, Peter Wilk

ABSENT: Courtney Christiansen

5. PUBLIC HEARINGS

B. 1515 Prospect Avenue #21-0425 APN: 034-045-10

Design Permit amendment for a second story deck for a single-family dwelling with ADU located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Peter Shamshoian

Representative: Peter Shamshoian, Filed: 09.21.21

Assistant Planner Sean Sesanto presented the staff report.

Commissioner Newman stated that he did not see the noticing in person; he inquired if it was appropriately noticed on the property.

Commissioner Westman noted that it was there on Monday when she walked by.

Commissioner Wilk observed that many second story decks are coming before the Commission, and this is as a result of a change in the city code. He asked for the rational for changing the code.

Director Herlihy stated that massing is considered as part of floor ratio; because second story decks are not enclosed or have roof tops over them, they do not contribute towards massing. We need a design permit for the Planning Commission to review them and address privacy concerns.

Commissioner Westman noted that discussion about code should be considered as an agenda item for a future meeting.

Public comment:

Anthony Rovai , stated that he has been involved in the process from beginning, (April 2020); the big flat room at the back should not become a real deck. He stated that he received no further noticing or plan changes. Second story deck does not feel right for our neighborhood.

Roger Shaheen spoke in support of the project and said he'd received several notices in the mail; he said he did not see how the deck will cause any security or privacy issues.

Denise Rovai wrote in an email that the fence has a variance, and it's documented at 1505 Prospect.

Peter Shamshoian, (The applicant), stated that he showed the original design to his neighbor, (Anthony Rovai), whom he said was in support of the project at the time.

Commissioner Routh stated that he has lived with second story deck much of his life

Commissioner Westman noted that second floor deck can become intrusive. However, the Planning Commission's decision should not be based on one owner's expectations, but what's in the long-term interest of the community.

Commissioner Newman stated his conflict with this item; he noted that he is more interested in the Planning issues and would like the city's ordinance to provide more guidance than it does.

Commissioner Routh noted that second story deck was previously banned in Capitola; things appear to have changed in the ensuing years.

Commissioner Wilk noted that the Commission has approved rear decks before. This is not a special case to change the Commission's outlook.

MOTION: Approve the application as submitted without the rear deck, (Westman);
(Secunder: Routh):

Commissioner Newman proposed an amendment to the motion that the second story rear deck be approved:

Commissioner Westman stated that, that amendment is unacceptable to her.

Substitute motion was made by Commissioner Newman to approve staff recommendation as submitted. Seconded by Chair Wilk.

RESULT: Substitute motion denied [Tied, not approved]
MOVER: Newman

SECONDER: Wilk
AYES: Mick Routh, Peter Wilk
NOES: Ed Newman, Susan Westman,
ABSENT: Courtney Christiansen

MOTION: Approve the application as submitted with the rear deck being removed, (Westman); (Seconder: Routh):

Chair Wilk sought clarification on what happens if this motion is denied.

Director Herlihy clarified that both motions would have failed; it could be appealed to City Council. She also clarified concerns on whether the door leading to the deck in the plan needs to be modified to a certain height.

Commissioner Westman amended the motion that the door going out on the deck needs to be changed to a window, approved by planning staff as intended.

MOTION: Approve the Design Permit removing the proposed rear second-story deck with the following conditions and findings:

CONDITIONS

- A. The project approval consists of the construction of 233-square-feet of first- and second-story additions to a 1,518-square-foot, two-story, nonconforming, single-family residence, a new 540-square-foot accessory dwelling unit (approved ministerially under CMC §17.99.050(B)), and a minor encroachment permit for a 42-inch-tall stucco wall in the public right of way. 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 54.7% with a total of 1,751 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 January 20, 2022, except as modified through conditions imposed by the Planning Commission during the hearing. The application was approved without the proposed rear second-story deck.
- B. 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
- C. 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.
- D. 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.
- E. 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.

- F. 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.
- G. Prior to issuance of building permit, all Planning fees associated with permits #20-0379 and #21-0425 shall be paid in full.
- H. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
- I. 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.
- J. 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.
- K. 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).
- L. 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.
- M. 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.
- N. 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
- O. 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.
- P. 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.

- Q. 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.
- R. 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.
- S. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
- T. Upon building permit submittal, the plans shall be revised to show the rear second-story deck has been removed and replaced with a flat roof and the associated doorway replaced with a window. The window shall be designed such that it cannot be used as a door to the satisfaction of the Community Development Director.
- U. 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.

DESIGN PERMIT & CEQA 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 project. The proposed remodel of a single-family residence complies with the development standards of the R-1 zoning district.

- 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 application for the remodel of a single-family residence. 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 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 structure before the addition, or 2,500 square feet, whichever is less. This project involves 306-square-feet (20%) of first- and second-story additions within the R-1 (Single-Family Residence) 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 and the Planning Commission have reviewed the project. The proposed residential remodel 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).

The Community Development Staff and the Planning Commission have reviewed the application. The proposed remodel 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 for the residential remodel. The design of the remodel with horizontal Hardie Board siding, Hardie Board fish scale tile at the gable ends, and new Brava slate tile roof will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

RESULT: Approved [4 TO 0]

MOVER: Westman

SECONDER: Routh

AYES: Ed Newman, Mick Routh, Susan Westman, Peter Wilk

ABSENT: Courtney Christiansen,

A. 619 Sunset Drive #21-0291 APN: 035-071-02

Design Permit for second-story addition to a nonconforming single-family residence with a Minor Modification request for covered parking dimensions and rear setback for an existing single-family residence located 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 15301(e)

Property Owner: Janet Ward and David Dixon

Representative: Janet Ward, Filed: 06.25.21

Senior Planner Brian Froelich presented the staff report.

Commissioner Routh asked if the parking in the front yard is required for them to meet the parking standard, and if denial of the parking space eliminates the proposed modification.

Senior Planner Froelich clarified that this is correct; denial of the parking space in front means the project cannot proceed.

Commissioner Wilk sought clarification on the depth of the front driveway.

Public comments:

Janet Ward commented that we are enhancing the neighborhood by providing additional parking.

MOTION: Approve the Design Permit and Minor Modification request, with the following conditions and findings:

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. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.

4. 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

5. The project approval consists of construction of a 362-square-foot second-story addition to an existing nonconforming single-family residence with a minor modification for a reduced rear setback. The maximum Floor Area Ratio for the 3,000-square-foot property is 57% (1,710 square feet). The total FAR of the project is 53% with a total of 1,598 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 January 20, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.

6. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a noncompliance in a timely manner may result in permit revocation.

7. 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.

8. 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.

9. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

10. 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.

11. Prior to issuance of building permit, all Planning fees associated with permit #21-0291

shall be paid in full.

12. 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.

13. Prior to issuance of building permits, the building permit plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
Public Works

14. Prior to issuance of building permits, the applicant shall submit a temporary construction sediment and erosion control plan (construction BMPs). The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.

15. 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).

16. 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.

17. Prior to any work in the City Road right of way, an encroachment permit shall be acquired by the contractor performing the work. All sidewalk, curb and gutter improvements shall be constructed per city standard. Storage of equipment and materials in the public right-of-way is prohibited.

18. 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.

19. Prior to issuance of building permits, the applicant shall submit plans detailing all improvements that impact or interface with the public right of way. At a minimum these details will include the limits of an ADA compliant driveway approach, and installation of curb/gutter/sidewalk along the property frontage. The extent of all improvements or modifications shall be limited to those areas fronting the property boundary and shall not impact the frontage of adjacent parcels.

20. 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.

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 362-square-foot second-story addition with a minor modification for reduced second-story rear setback and reduced covered parking space length, and an exception to exceed the maximum

driveway width 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 362-square-foot second-story addition with a minor modification for a reduced second-story rear setback and reduced covered parking space length, and exception to exceed the maximum driveway width, complies with all other 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 362 square feet (29%) 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 362-square-foot second-story addition with a reduced second-story rear setback, an exception to driveway width, and reduced covered parking space length 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 362-square-foot second story addition with a reduced second-story rear setback, an exception to driveway width, and reduced covered parking space length 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 362-square-foot second story addition with a reduced second-story rear setback, exception to driveway width, and reduced covered parking space length. The design of the home, with a hip roof, asphalt composition shingles, and horizontal cement lap board siding, will blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

MINOR MODIFICATION FINDINGS

A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

Setback: Within the Riverview neighborhood, many of the homes have nonconforming yard setbacks with many being originally constructed prior to the city's incorporation. The nearest adjacent structure to the rear property line of the subject property is 618

Riverview Drive and has a detached single-story garage with a reciprocal setback of approximately four feet.

Parking: Existing parking in the neighborhood is accommodated similarly to the subject property with nonconforming driveway parking spaces and covered parking. The proposal increases overall parking opportunities for the site.

B. The modification will not adversely impact neighboring properties or the community at large.

Setback: The proposed second-story addition is in line with the existing first story rear setback at 14 feet 2 inches from the rear property line where 15 feet is required. This is about a 5.5% reduction in the requirement and does not introduce any unusual impacts to the neighboring properties. The proposed project includes a row of windows along the proposed second story on the rear (west) elevation. The windows are elevated to reduce privacy impacts and are for functional for natural light.

Parking: The proposal increases overall parking opportunities for the site and the neighborhood. The substandard garage parking space accommodates most modern vehicles and is retained.

C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

Setback: The applicant is requesting the minor modification to construct the second story wall on top of the existing wall on the first story as it can sustain more weight and will require less structural improvements. The additional structural work that would be required to comply with the rear setback would likely necessitate new vertical posts inside the existing first floor living space and substantial new foundations directly adjacent to the existing perimeter foundation.

Parking: Modification of the existing garage to accommodate a conforming parking space is impractical and would require partial demolition and redesign of the kitchen. The garage was originally built in this configuration and will continue to serve as a functional parking opportunity.

D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.

Setback: Under Capitola Municipal Code 17.16.010, the purpose of residential zoning districts is “to support attractive, safe, and friendly neighborhoods consistent with Capitola’s intimate small-town feel and coastal village charm.” Development should “feature high-quality design that enhances the visual character of the community” and the “mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes.” The proposed addition does comply with the increased second-story side setback and is below the height limit permitted, which reduces second-story massing. Additionally, the horizontal cement board siding on the second floor over the existing Santa Barbara stucco finish on the first floor breaks the massing with materials that are commonly used together.

Parking: The proposal increases overall parking opportunities for the site and the neighborhood. The substandard garage parking space accommodates most modern vehicles and is retained.

E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.

Setback: General Plan Policy LU-5.3 states that the mass, scale, and height of new development should be compatible with existing homes within residential neighborhoods. Review of aerial photos shows that several homes within the immediate

Riverview neighborhood have nonconforming setbacks; including two homes in the immediate vicinity with existing nonconforming second-story setbacks.

Parking: The proposal increases overall parking opportunities for the site and the neighborhood. The substandard garage parking space accommodates most modern vehicles and is retained.

F. The modification will not establish a precedent.

Setback & Parking: A significant number of single-family residences in the Riverview neighborhood have nonconforming setbacks because much of the neighborhood was built prior to the city's incorporation and under different development standards. The Riverview neighborhood has a consistent size and shape of lots, however, the style, layout and architectural variety of homes makes this approval unlikely to set a precedent. Additionally, the Minor Modifications being requested with this application are truly minor in both percentage and nature; and afford the owner a level of practicality and reasonableness to execute a project that is compatible with the neighborhood. The project also results in increased functional parking opportunities.

G. The modification will not adversely impact coastal resources.

Setback & Parking: The subject property is not located in an area with coastal resources; therefore, the modification will not adversely impact coastal resources.

RESULT: Approved as recommended [UNANIMOUS]

MOVER: Routh

SECONDER: Susan Westman

AYES: Newman, Routh, Westman, Wilk

ABSENT: Courtney Christiansen

B. 115 Saxon Avenue #21-0339 APN: 036-131-02

Design Permit to convert a portion of roof to a second-story deck on a single-family residence located 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

Property Owner: Brian and Danielle Wiese, Filed: 07.28.21

Planning Department's Sean Sesanto presented the staff report.

Commissioner Westman recalled she was on the Planning Commission when this remodel was first approved; it was a non-conforming structure. She asked if staff had record of that.

Commissioner Routh noted that we had this conversation last November; it was continued so that neighbors could reach agreement on privacy. It appears that agreement hasn't been reached.

Director Herlihy noted that's correct; she recalled staff met with both the neighbors and the applicant; we cannot force parties into agreement; its up to the planning commission.

Commissioner Newman stated that he mistakenly recused himself and did not participate in decision making when this item was held previously. Now, he realizes he is qualified to participate.

Commissioner Wilk asked the possible scenario if the commission denied the side deck entirely and only approved a deck in front of the house.

Public comments:

John Shenk commented on the commission's concern on the need to protect privacy; second story small windows are raised to protect privacy. The commission's collective concern on privacy is important.

Commissioner Westman stated her interest to support the 2017 Planning Commission's recommendation that the area in question is not suitable for decks.

Commissioner Newman addressed the issue of balancing the interests of the two neighbors based on standards that are vague and uncertain.

Commissioner Routh expressed reservation, and sees no guarantees that with time, the deck will not be expanded to be the whole roof area.

Commissioner Wilk is torn by the issue but leans towards approval.

MOTION: Approve Design Permit, with the following conditions and findings:

RESULT: Application denied [Tied, not approved]

MOVER: Wilk

SECONDER: Newman

AYES: Newman, Peter Wilk

NOES: Mick Routh, Susan Westman,

ABSENT: Courtney Christiansen

DESIGN PERMIT FINDINGS FOR DENIAL

A. The proposed project is inconsistent 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 design permit for a proposed second-story modifications to a single-family residence and determined it does not satisfy the design permit criteria of Section 17.120.070(F). The orientation and location of the deck does not minimize privacy impacts on adjacent properties.

B. The proposed project does not comply with all applicable provisions of the zoning code and municipal code.

Community Development Staff and the Planning Commission have reviewed the application for a second-story rooftop conversion into a deck on a single-family residence and determined the project does not satisfy all design review criteria established in Section 17.120.070. The orientation and location of the deck does not minimize privacy impacts on adjacent properties.

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

Section 15301 of the CEQA Guidelines categorically exempts minor additions and alterations of existing private structures that 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 project includes second-story alterations that do not

increase the floor area. No adverse environmental impacts were discovered during project review by Planning Department Staff.

D. The proposed development will 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 project. The proposed second-story modifications to a single-family residence will be detrimental to properties in the vicinity with respect to privacy

E. The proposed project does not comply 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. The proposed second-story modifications to a single-family residence do not comply with all applicable design review criteria in Section 17.120.070. Specifically, the proposed orientation of the deck does not adequately minimize privacy impacts on adjacent properties as specified within Capitola's Design Review Criteria(F).

F. The proposed project does not maintain the character, scale, and development pattern of the neighborhood. Community Development Staff and the Planning Commission have reviewed the application for the second-story modifications to a single-family residence. The proposed project would convert an existing section of roof into a second-story deck facing the side of the property. The proposed deck would not maintain the character and expectation of privacy commonly found within the Depot Hill neighborhood. The orientation and location of the deck does has privacy impacts on the adjacent properties.

C. Report on City Wide Alcohol Sales

At the November 4, 2021, meeting the Planning Commission noted an interest in hearing a status report on city-wide alcohol sales and permitting. Planning and Police Department staff have collaborated to prepare this response.

Senior Planner Brian Froelich presented a brief report.

Commissioner Westman thanked staff for taking the time to bring forth this information

Commissioner Newman echoed the sentiment; don't recall having ever received reports like this in the past.

Commissioner Wilk sought clarification on what guidance the commission has on alcohol sales.

Police Captain Sarah Ryan commented on alcohol sales, the Police Department's vigilance, and noise in the village.

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

Commissioner Westman reiterated bringing back the issue of second story deck and the history of why it is not included in the floor area ratio

Commissioner Newman proposed expansion of that enquiry further to modify the ordinance and add criteria to facilitate the planning commission's dealing with applications for second story decks, including a review of what's applicable in other jurisdictions.

8. ADJOURNMENT

The meeting was adjourned at 8:56PM to the next regular meeting of the Planning Commission of February 3, 2022.

Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 3, 2022
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Wilk called the meeting to order at 7 P.M. Commissioners Routh, Christiansen, Newman, Westman, and Wilk were present.

2. NEW BUSINESS

3. ORAL COMMUNICATIONS

- A. Additions and Deletions to the Agenda**
- B. Public Comments**
- C. Commission Comments**
- D. Staff Comments**

4. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - December 2, 2021

MOTION: Approve minutes from the December 2, 2021, regular Planning Commission Meeting.

RESULT:	Approved [UNANIMOUS]
MOVER:	Routh
SECONDER:	Westman
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman, Peter Wilk

5. CONSENT CALENDAR

None presented.

6. PUBLIC HEARINGS

- A. 1820 41ST Avenue, Suite A**
Permit Number: #21-0429
APN: 034-131-24

Conditional Use Permit Amendment to allow extended hours of delivery sales for alcohol and non-alcohol retail goods from an existing Retail Alcohol Establishment (BevMo) located in the C-R (Regional Commercial) zoning district.

This project is not in the Coastal Zone.

Environmental Determination: Categorical Exemption 15301

Property Owner: Chaboya Ranch

Representative: Philip Olson - BevMo, Filed: 10.11.21

Senior Planner Brian Froelich presented a brief report. He noted that there's no formal presentation from staff; the item will continue to the April 7, 2022, Agenda because of

scheduling conflict. Also, more time is required to consider the recommendation. Testimony is acceptable per the item’s public noticing.

Public comments: None presented.

MOTION: Continue the item to April 7, 2022 Planning Commission Agenda

RESULT:	Continue to April 7, 2022 as recommended [UNANIMOUS]]
MOVER:	Susan Westman
SECONDER:	Courtney Christiansen
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Ed Newman, Peter Wilk

B. Citywide Ordinance Applicable to Single-Family Zone

Ordinance #: 1049

APN: Applicable to all parcels in Single-Family Zone

Project description: Amendments to the Capitola Municipal Code, Adding Section 17.75 Two-Unit Developments to Title 17, Part 3 (Zoning, Citywide Standards), Adding Section 16.78 Urban Lot Splits to Title 16 (Subdivisions), Amending Section 17.74 Accessory Dwelling Units, and Amending Section 16.08 Definitions for the implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and Two-Unit Developments.

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

Property: Ordinance applies in the R-1 (Single-Family) zoning district

Representative: Katie Herlihy, Community Development Director

Director Herlihy presented the report. She sought feedback from the Commissioners on front yard setbacks.

The Commission had a productive discussion.

Commissioner Wilk sought clarification if there’s anything in SB9 that indicates City had control over this in terms of driving, driveway parking and utilities as it’s in the City’s best interest.

City Attorney Rep, Leila Moshref-Danesh commented on compliance with State laws. SB9 includes several permissive sections, which allows the city to place conditions. The city should adopt a position that is compliance-specific, and consistent State laws.

Commissioner Routh noted that per the diagram shown, probably 90% of Capitola’s lots might be inconsistent with realities or applicable configurations.

Commissioner Newman inquired if the city’s urban lots are typical parcel maps that can be sold separately.

Commissioner Routh asked if the 1200 sq. ft. requirement is defined in SB9.

Commissioner Westman clarified if the back and front parts of a Lot Split Parcel cannot be more than 800ft. Attorney Representative Leila Moshref-Danesh clarified that there could be two 800 sq. ft units in the back and two 800 sq. ft. units in the front in a Urban Lot Split parcel.

Commissioner Wilk clarified the difference between a vacation home and live-in home.

Commissioner Christiansen asked if two parcels legally split can be sold and if it requires deed transfer to the new owners. Director Herlihy will research the item and return to the Commission with accurate responses.

Public comment:

Paula Bradley stated that she sent an email with several questions. Upon recognition by the Chair, she read out questions from her email, re: Ordinance section 16.78 eligibility, etc.

Director Herlihy stated willingness to review the questions and return with answers. She also stated interest in meeting with Paula.

Commissioner Routh stated that there's ongoing effort to repeal SB9; he urged other Commissioners to research this.

MOTION: Continue the conversation to the March 3, 2022 meeting.

RESULT:	Continue conversation to the March 3, 2022 meeting [UNANIMOUS]
MOVER:	Susan Westman
SECONDER:	Mick Routh
AYES:	Courtney Christiansen, Ed Newman, Mick Routh, Ed Newman, Peter Wilk

7. DIRECTOR'S REPORT

None presented.

8. COMMISSION COMMUNICATIONS

None presented.

9. ADJOURNMENT

The meeting was adjourned at 9:07PM to the next regular meeting of the Planning Commission on March 3, 2022.

ATTEST/Approved by the Planning Commission

Louis Osemwegie, Clerk to the Commission

Capitola Planning Commission

Agenda Report



Meeting: March 3, 2022

From: Community Development Department

Address: SB9 Ordinance Applicable to Single-Family Zone

Permit Number: #22-0079

APN: Applicable to all parcels in R-1 (Single-Family) Zone

Project Description: Request to Continue. Amendments to the Capitola Municipal Code, Adding Section 17.75 Two-Unit Developments to Title 17, Part 3 (Zoning, Citywide Standards), Adding Section 16.78 Urban Lot Splits to Title 16 (Subdivisions), Amending Section 17.74 Accessory Dwelling Units, and Amending Section 16.08 Definitions for the implementation of Government Code Sections 66411.7 and 65852.21 Related to Urban Lot Splits and Two-Unit Developments. **Environmental Determination:** Implement of Government Code sections 65852.21 and 66411.7, are not considered a project under CEQA.

Property Owner: Ordinance applies in the R-1 (Single-Family) zoning district

Representative: Katie Herlihy, Community Development Director

Background: Senate Bill 9 (SB 9) was passed in September of 2021 and went into effect on January 1, 2022. SB 9 enacted Government Code Sections 66411.7 and 65852.21 which allows ministerial review of two-lot subdivisions with up to two residential units on each new lot. SB9 applies solely to properties within a single-family zone. The ministerial review is limited to the review of the objective standards established within the municipal code by city staff. Application under SB9 are not subject to a public hearing.

On February 3, 2022, a public review draft of the ordinance was presented to the Planning Commission. The Planning Commission provided feedback on draft ordinance with suggested revisions and areas of concern. The Planning Commission also requested that staff reach out to Coastal Commission staff to request their comments on the draft ordinance prior to making a recommendation to the City Council.

Staff is currently working with Ben Noble Planning on site layout scenarios for different lot sizes based on Planning Commission feedback at the February hearing. Staff is requesting the ordinance review be continued to the April 7, 2022, meeting.

Recommendation: Continue SB9 Ordinance review to the April 7, 2022, Planning Commission meeting.

Capitola Planning Commission

Agenda Report

Meeting: March 3, 2022

From: Community Development Department

Address: 106 Cliff Avenue



Permit Number: #21-0404

APN: 036-112-17

Design Permit and Historical Alteration Permit for additions to a historic single-family residence, a new detached single-story accessory structure that includes an accessory dwelling unit (ADU) and garage, and a Variance for the maximum height of the primary structure. The permit includes the demolition of two non-historic accessory structures behind the primary residence. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals.

Environmental Determination: Categorical Exemption

Property Owner: Sam Abbey

Representative: Cove Britton, Filed: 09.07.21

Background:

On December 14, 2021, architectural historian Seth Bergstein provided a preliminary design review letter evaluating the proposed remodel and new accessory structure.

On February 9, 2022, staff held a Development and Design Review meeting and reviewed the application.

Approval of historical alteration permits must be consistent with CEQA guidelines. Staff is working with the applicant and Seth Bergstein in order to finalize documentation necessary for a CEQA exemption. Staff is requesting the review be continued to the April 7, 2022, meeting.

Recommendation: Continue the item to the April 7, 2022, Planning Commission meeting.

Capitola Planning Commission

Agenda Report



Meeting: March 03, 2022

From: Community Development Department

Address: Right-of-Way in front of 709 Escalona Drive

Permit Number: #21-0494

APN: N/A (in Public Right-of Way)

Coastal Development Permit for Soquel Creek Water District to construct a new four (4) inch diameter monitoring well within the R-1 (Single Family Residential) district. The project is located within the Coastal Zone and requires a Coastal Development Permit.

Environmental Determination: Categorical Exemption 15306

Property Owner: City of Capitola

Representative: Skyler Murphy for Soquel Creek Water District

Applicant Proposal

Soquel Creek Water District is proposing to install a new four (4) inch monitoring well to monitor seawater intrusion and protect groundwater quality. The project requires Planning Commission approval of a Coastal Development Permit (CDP).

Background

The proposed monitoring well is strategically located to be a part of Soquel Creek Water District's seawater intrusion monitoring system. The proposed well would be periodically monitored for water quality, water levels, and indications of seawater intrusion. The proposed well is four (4) inches in diameter and will be drilled to approximately 920 feet below the ground surface.

Discussion

Permanent Installation

The proposed four (4) inch well sleeve will be a PVC casing. After drilling, the installation will include a two foot by two foot (2'x 2') concrete pad with a cap/lid flush with grade. The long term day-to-day visual alteration to the site is minimal.

Drilling Operation

The proposed drilling operation is scheduled for 15 business days, to begin in late March or early April. There will be several added days to mobilize/demobilize, clean-up, repair the grade, and install erosion control seeding. The applicant has estimated a total of 20 days of activity. The mobilization will be performed entirely within the public right-of-way. The temporary installations include perimeter fence, drill rig, water truck, shaker, and a porto-john. The volume of material to be extracted is between six (6) and seven (7) cubic yards. The soil material will be tested on site and disposed of at a proper facility.

Recommended conditions of approval include both a Temporary Encroachment Permit for the mobilization and a Permanent Encroachment Agreement for the permanent installation. Public Works has reviewed the application and will also work with the applicant to develop a traffic control plan in conjunction with the Temporary Encroachment Permit.

The applicant proposes to work Monday through Friday from 7:30am to 5:30pm. Planning staff is recommending that the applicant use the first and last 30 minutes of the work period for preparation and clean-up activities and limit the drill operation from 8am-5pm. The drill runs from a diesel engine and produces sound levels similar to an idling portable commercial generator. The applicant has agreed to the limited drilling hours included in condition #5.

The applicant performed neighborhood outreach by sending a letter via US Mail introducing the project and a disturbance coordinator. This was completed prior to the City required public noticing for the CDP.

The drilling operation will necessitate removal of one plum tree. This is a fruiting tree and is not subject to protection or mitigation planting requirements per Municipal Code section 12.12.170. Additionally, the tree has been previously poorly maintained, topped, and damaged. Recommended replanting is limited to erosion control seeding after demobilization (Condition #6).

CEQA

§15306 of the CEQA Guidelines exempts projects consisting of the collection of information and the evaluation of resources and research activities which do not result in a serious or major disturbance to an environmental resource. The proposed project includes the installation of a four (4) inch seawater monitoring well to protect and monitor groundwater quality. With the recommended conditions of approval, no adverse environmental impacts are anticipated as a result of the proposed project.

Recommendation

Staff recommends the Planning Commission consider application #21-0494 and approve the project with the following Conditions and Findings for Approval.

Conditions of Approval

1. The applicant shall inform the Public Works Department of any damage and shall repair any damage caused by the project to sidewalks, curbs, private driveways, and public and private roadways, prior to final inspection and shall provide the City with photographs of the existing pre-project conditions of the roadways and sidewalks, prior to issuance of Encroachment Permits.
2. The applicant shall provide a traffic control plan to the Public Works Department along with the application for Encroachment Permits. The applicant shall plan and prepare for staffing and methods of managing mobilization, deliveries, haul-away, and avoid extended periods of standing or blocking the roadway and private driveways.
3. The applicant shall disperse construction personnel parking along the street and avoid parking more than two (2) vehicles along the same 100' section of the roadway.
4. The applicant shall hand sweep the roadway daily and at the request of the Public Works Department.

5. Hours of operation shall be limited to 7:30am to 5:30pm. The first and last 30 minutes shall be for low noise tasks, layout, and clean up. Drilling operations shall be limited to between 8:00am and 5pm.
6. The Planning and Public works Departments shall perform a final inspection to determine appropriate erosion control measures and grade restoration. Erosion control and any determined site restoration measures shall be completed prior to final sign off.
7. Drilling and heavy equipment shall not be deployed or operated between October 1st and March 1st pursuant to Section 17.64.050 (Monarch butterfly habitats).
8. A sign shall be displayed on the temporary fence providing contact information for the Soquel Creek Water District Disturbance Coordinator.

Coastal Findings

1. **The project is consistent with the LCP land use plan, and the LCP implementation program.** The proposed project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.
2. **The project maintains or enhances public views.** The proposed project has no permanent impact on view or access.
3. **The project maintains or enhances vegetation, natural habitats and natural resources.** The proposed project will have a minimal impact to existing vegetation. Condition of Approval #6 requires the applicant to re-plant and restore any minor impacts to grade and vegetations.
4. **The project maintains or enhances low-cost public recreational access, including to the beach and ocean.** The project has no impact on recreation access or cost. Condition #2 requires a temporary traffic control plan be evaluated by the Public Works Department. The applicant will need to demonstrate methods for managing and maintaining bike, pedestrian, and vehicle traffic during the operation.
5. **The project maintains or enhances opportunities for visitors.** The permanent project has no impact on visitors and opportunity.
6. **The project maintains or enhances coastal resources.** The proposed monitoring well and drilling operation does not restrict public access and will protect ground water resources.
7. **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.** The proposed monitoring well will be flush with grade and is a passive installation. There are no significant design or operational impacts associated with the installation of the monitoring well.
8. **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 will not obstruct public access and has no impact on recreation or visitor opportunities and

experiences. Short term noise and traffic safety impacts will be proactively managed with the conditions of approval.

Attachments

1. Project Narrative prepared by applicant
2. Proposed Mobilization Layout

Escalona Monitoring Well Description

The Escalona Monitoring Well is anticipated to be completed to a depth of approximately 920 feet. The well will be constructed of four-inch diameter PVC well casing with screened casing anticipated to be installed between 865 and 880 feet below ground surface.

The Escalona Monitoring Well (SC-3) is strategically located to be part of Soquel Creek Water District's seawater intrusion monitoring system as called for in the Mid County Groundwater Association (MGA) Groundwater Sustainability Plan. The water level and water quality of the well will be periodically monitored to look for indications of seawater intrusion into aquifers used to supply potable water to the District. Data collected from the monitoring well will be used by the District and also shared with the MGA.

The well is located within the public right of way in front of 709 Escalona Drive. The well will be located to the west of three existing monitoring wells. See the attached Photo 1 for approximate location of the well.

Project Scope and contractor responsibilities include:

- Mobilization/Demobilization & Cleanup including disposal of drill cuttings and drilling fluid additives in accordance with all applicable laws and regulations
- Install a minimum 13.5-inch diameter mild steel temporary surface casing. Drill by air rotary casing hammer methods to minimum depth of 40-feet bgs.
- Drill by direct mud rotary methods a maximum 10 5/8-inch diameter exploratory borehole from the bottom of the temporary surface casing to depths indicated in Table 1.
- Perform Downhole Geophysical Surveys: Spontaneous Potential, Single-Point, 64-inch Long and 16-inch Short Normal Resistivity, Focused (Guard) Resistivity, and Gamma Ray.
- Conduct caliper survey.
- Furnish and install 4-inch SCH80 PVC machine slotted well screen (0.040-inch slot).
- Furnish and install 4-inch SCH80 PVC blank casing.
- Furnish and install hard, water-worn, at least 90 percent silica filter sands of 8x16 gradation, including 5-foot thick 3/8 bentonite pellet transition on top of filter pack.
- Furnish and install grout seal.
- Perform well development by airlift, swabbing and pumping.
- Perform a color video camera survey
- Complete capping
- All work will be conducted within normal construction working hours of 7:30AM to 5:30PM
- Anticipated duration is 18 business days.

Construction Operation and Mitigation Plan

The Escalona Well borehole will be drilled using direct mud rotary methods. Once the borehole is drilled, geophysics will be performed, and the well will be constructed in the borehole. The well will be developed after it is constructed. This construction process is anticipated to take approximately 15 business days. Drilling cuttings and fluids will be contained on site during the drilling operation and disposed of offsite at an appropriate facility once the well has been constructed.

See below construction plan details:

Work Days and Hours: Monday through Friday between 7:30 AM and 5:30 PM.

Anticipate 18 business day duration of construction

Work to take place after March 2022 and before October 2022.

Site Plan: The construction equipment (drill rig, and shaker) will be installed at the site and will remain in place for the duration of construction, including nights and weekends. Site will be secured with temporary fencing. See attached site plan.

Location/Access: All construction activities and staging would take place within the public right of way near 709 Escalona Avenue. The well location is to be west of the three existing monitoring wells as shown in Photo 1. Also attached is a survey completed by Bowman and Williams in 2013 for the project area. The approximate location of the SC-3 monitoring well is shown in red on the survey.

Contractor will access the site via Escalona Avenue. Contractor parking during work hours would be along Escalona Avenue. Number of vehicles would be no more than five.

Construction Noise Mitigation: Notification letters will be sent out to all residents within 200 feet of the project site notifying them of the upcoming construction activities and will provide a noise complaint hotline phone number to call with any questions or complaints.

During construction, the project site will be secured with 6' - 8' tall temporary fencing and the contractor will install sound dampening blankets over the fencing to help reduce noise impacts to direct neighbors.

As stated above, all construction will take place within City Noise Ordinance construction hours.

Tree Removal: The contractor would like to remove one existing plum tree from the project area. Please see the attached Photo 2.

036-141-07

ESCALONA WAY

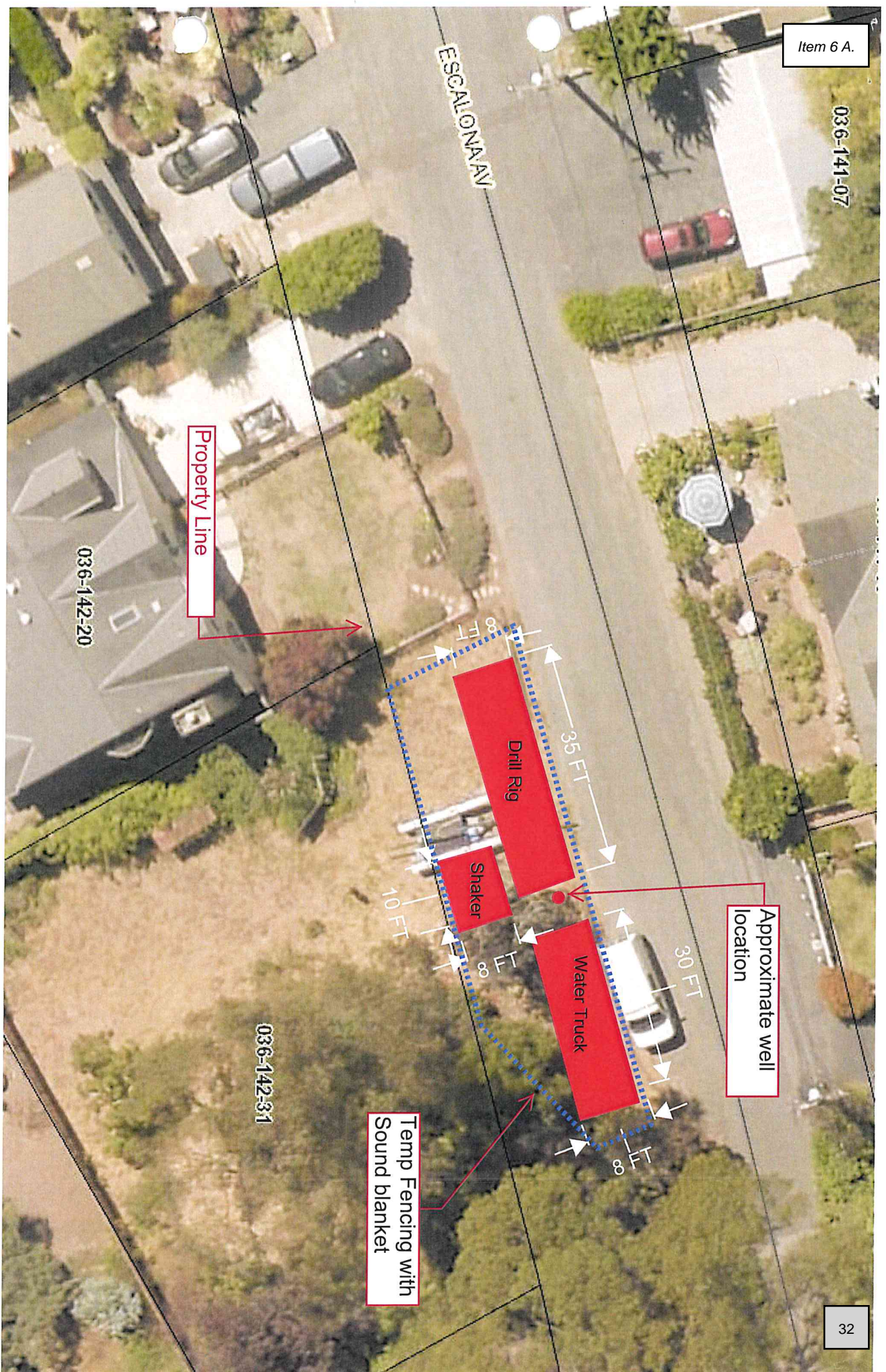
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036-142-31

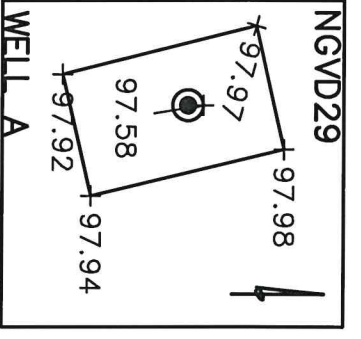
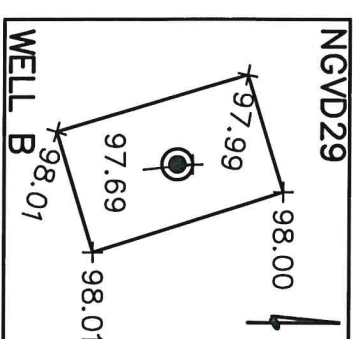
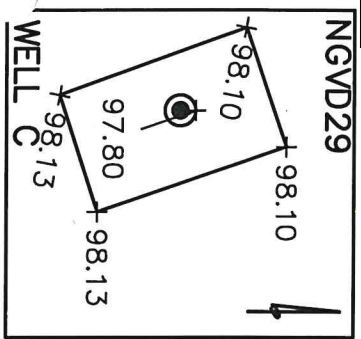
Property Line

Approximate well location

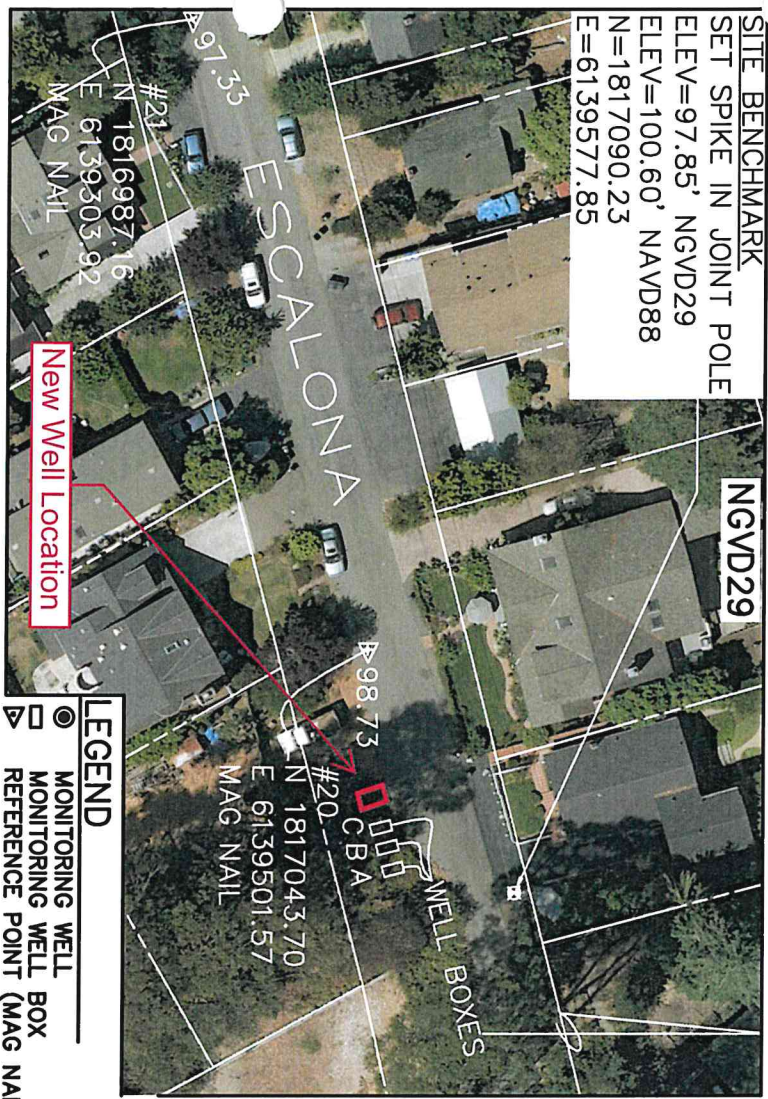
Temp Fencing with Sound blanket



NOTE: BOUNDARY AND IMPROVEMENTS WERE NOT LOCATED BY GROUND SURVEY METHODS. THEY ARE SHOWN BASED ON THE SANTA CRUZ COUNTY GIS INFORMATION AND ARE FOR REFERENCE PURPOSES TO AID IN THE LOCATION OF MONITORING WELL SC-3R.



SITE BENCHMARK
SET SPIKE IN JOINT POLE
ELEV=97.85' NGVD29
ELEV=100.60' NAVD88
N=1817090.23
E=6139577.85



LEGEND
 MONITORING WELL
 MONITORING WELL BOX
 REFERENCE POINT (MAG NAIL)

ELEVATION ARE IN FEET AND DECIMALS THEREOF

MONITORING WELL SC-3R

ID	ELEV 1929-FT	**NAVD88 FT.
MW (SC-3RA)	97.58'	100.43'
MW (SC-3RB)	97.69'	100.44'
MW (SC-3RC)	97.80'	100.55'

ELEVATIONS WERE TAKEN ON THE NORTH RIMS, AND MARKS WERE PLACED AT THAT LOCATION IN BLACK MARKER.

STATE PLANE COORDINATES, NAD 83(CORS 96)

0403-CALIF. ZONE 3, U.S. FEET

ID	NORTHING	EASTING
MW (SC-3RA)	1817052.3	6139570.4
MW (SC-3RB)	1817050.3	6139565.5
MW (SC-3RC)	1817048.3	6139557.3

BASIS OF ELEVATIONS

THE ELEVATION WAS DETERMINED FROM A NATIONAL GEODETIC SURVEY (NGS) BENCHMARK AND IS DESCRIBED AS FOLLOWS:

DESIGNATION-Z 212
PID-GU2287
STATE/COUNTY-CA/SANTA CRUZ
USGS SOQUEL (1994)

VERT ORDER - FIRST CLASS I
ELEV=63.95' (NGVD29)
ELEV=66.70' (NAVD88)

DESCRIBED BY NATIONAL GEODETIC SURVEY 1972



4.4 MILES EAST ALONG THE SOUTHERN PACIFIC COMPANY RAILROAD FROM THE WEST CLIFF DRIVE OVERPASS AT SANTA CRUZ, AT CAPITOLA, AT THE CROSSING OF MONTEREY AVENUE, 25.0 FEET SOUTH OF THE SOUTH RAIL, 35 FEET WEST OF THE CENTER LINE OF THE AVENUE, 4 FEET SOUTHEAST OF TELEPHONE POLE 13, 10 FEET NORTHWEST OF POWER POLE 3522 WITH A TRANSFORMER AND STREET LIGHT, 16.0 FEET NORTH OF THE NORTHWEST CORNER OF THE NORTH END OF THE WEST CONCRETE SIDEWALK OF THE AVENUE, 1.0 FOOT NORTH OF A WITNESS POST, ABOUT LEVEL WITH THE TRACK, AND SET IN THE TOP OF A CONCRETE POST PROJECTING 0.6 FOOT ABOVE THE GROUND.

NAVD88 ELEVATIONS WERE CALCULATED USING THE U.S. ARMY CORPS OF ENGINEERS CORPSON 6.0.1 PROGRAM. THE CALCULATED ELEVATION DIFFERENCE FROM THE NGVD29 DATUM TO THE NAVD88 DATUM IS +2.75' FT

BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
1011 CEDAR STREET SANTA CRUZ CA 426-3560

SCALE	1" = 60'
DATE	APRIL 23, 2013
DRAWN	DLN

JOB NO.	25057-002
DWG NAME	25057_SC-3R
FILE NO.	25057

MONITORING WELL
SC-3R
SOQUEL CREEK WATER DISTRICT
5180 SOQUEL DRIVE, SOQUEL, CA 95073

Capitola Planning Commission

Agenda Report

Meeting: March 3, 2021

From: Community Development Department

Address: 501 El Salto Drive



Permit Number: #21-0548

APN: 036-144-11

Tree Removal Permit to remove seven palm trees, a Design Permit to allow a fence that exceeds the maximum height standard, and a Major Encroachment Permit for a fence in the public right-of-way located within the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Ducky Grabill

Representative: Michael Grabill, Filed: 11.23.21

Applicant Proposal

The applicant is proposing a major landscape renovation to the property and the public right of way fronting El Salto Drive and Hollister Avenue within the R-1 (Single-Family Residential) zoning district. The applicant is requesting approval of a tree removal permit to remove seven palm trees, a design permit to allow a fence with exceeds the maximum fence height, and an encroachment permit to allow a fence and a wood bench to be located within the street right-of-way.

Background

On June 15, 2021, the Community Development Department issued a tree removal permit for the removal of two cypress trees and three juniper trees at 501 El Salto Drive that would were found to be in poor condition.

On November 23, 2021, the Community Development Department received the current application for a tree removal permit, design permit, and a major encroachment permit.

Discussion

The property is located on the corner of El Salto Drive and Hollister Avenue within the Depot Hill neighborhood surrounded by one- and two-story single-family residences. The site is lined with ten mature palm trees that are situated along El Salto Drive within both the subject property and immediately in front of the property within the public right-of-way. The home is accessed from El Salto Drive, which functions as a front yard. The frontage along Hollister Avenue functions as an enclosed side yard which currently has a five-foot-high bamboo fence screen surrounding a deck and patio area.

The applicant is proposing major landscape renovations to the site. The applicant is requesting a tree removal permit to allow the removal of seven healthy palm trees. Removing the trees will allow the owner to modify the site layout in terms of the walkways, new landscape areas, and new seating areas. The application includes five replacement trees, including two strawberry

trees and three California wax myrtles. Existing vegetation will be replaced with a variety of drought tolerant plants. The existing raised porch in the front yard will be replaced with a new porch that has a smaller footprint. Two new raised wooden benches are proposed, one in the front yard along El Salto and a second in the enclosed space along Hollister Avenue. A new fence is proposed in the area of the current bamboo screen to keep the frontage along Hollister Avenue private. New and replacement hardscape are proposed to create a front patio, walking path, and front driveway area.

Community Tree and Forest Management Ordinance

Section 12.12.190(C) outlines the process for the Community Development Director or Planning Commission to permit the removal of trees in conjunction with a new construction or major remodels. The standard requires that the project is conditioned to require planting or replacement of all or part of the trees necessary to meet the city goal of 15 percent canopy coverage per the discretion of the Planning Commission. The applicant is proposing extensive work including the replacement of existing hardscape, a new fence, a complete replacement of plants, and five new trees. The goal of the new landscape is to be more complimentary to the region. These types of major landscape renovations are typically reviewed by the Planning Commission in conjunction with a design permit application. This project is unique in that no modifications to the home are proposed with exception to the porch replacement.

The proposal satisfies numerous goals outlined within the Section 12.12.020(A) through (E) of the goals and policies of the Community Tree and Forest Management chapter of the Capitola Municipal Code:

1. It is the policy of the city to protect the locally significant, scenic and mature trees as listed in the heritage tree list to be adopted pursuant to this chapter, in order to protect the character of Capitola.
Staff Analysis: The proposal would remove seven palm trees but would preserve four existing trees and plant five new trees. The palm trees are not considered locally significant or scenic.
2. The overall goals of this chapter are to protect and increase the level of tree cover on public and private lands within the city, maintain trees in a healthy and non-hazardous condition, and promote planting of additional trees to increase tree cover (hereby referred to as canopy coverage) throughout the city.
Staff Analysis: The proposal would increase the level of tree cover on public and private lands within the City. The existing palm trees provide minimal tree cover. The proposed strawberry trees and California wax myrtle trees will provide increased canopy coverage.
3. It is the policy of the city to encourage new tree planting on public and private property and to cultivate a flourishing community forest.
Staff Analysis: The proposal would remove seven trees, preserve four trees, and add five new trees, for a total of nine on the subject property and immediately adjacent public right-of-way.
4. It is the goal of the city to maintain and enhance the tree canopy coverage existing at the time of adoption of the ordinance codified in this chapter (as determined through aerial photography taken within twelve months from adoption of the ordinance codified in this chapter), and to increase flowering tree canopy to help identify and beautify city streets and neighborhoods.

Staff Analysis: The proposal would maintain the long-term tree canopy coverage and increase flowering tree canopy which helps identify and beautify city streets and neighborhoods.

5. On individual lots, it is the goal of the city to maintain fifteen percent coverage of tree canopy, consisting of flowering, deciduous, and evergreen trees, to be enforced on an on-going basis via the design review process.

Staff Analysis: The proposal would increase the canopy coverage within the public right-of-way and have a minimal impact to the existing coverage of the subject property. Two of the seven palm trees proposed for removal are located on private land. Staff has included Condition #2 which requires the applicant to locate at least two of the proposed replacement trees on the subject property to reflect that loss.

Encroachment Permit Issuance

Pursuant to §12.56.060, the City may issue permits to allow certain improvements to be installed and maintained on public property by the adjacent private property owner. The Public Works director may approve minor improvements, such as fences under 42 inches in height, landscaping, and at-grade walkways, under a minor revocable encroachment permit. For improvements beyond those listed under the discretion of the Public Works Director, such as the proposed fence, a major revocable encroachment permit may be issued by the Planning Commission. The proposed fence is 58 inches tall within the public right-of-way, therefore a major revocable encroachment permit is required. The wood bench along the Hollister Avenue frontage is also partially within the public right-of-way.

The Planning Commission must evaluate the following considerations when deciding whether or not to issue a major revocable encroachment permit:

1. The expense and difficulty that will be entailed in removing the improvement in the event of street widening;
Staff analysis: Within the revocable/hold harmless agreement, the owner must agree that the removal of the fence, when so ordered by the City, shall be at the owner's expense and not at the expense of the City. Staff included Condition of Approval #12 to requiring the applicant to sign a hold harmless agreement form.
2. Whether the proposed improvements are in conformity with the size, scale, and aesthetics of the surrounding neighborhood;
Staff analysis: The proposed fence uses similar materials and style to adjacent properties and is of similar size and scale within the surrounding neighborhood.
3. Preservation of views;
Staff analysis: The proposed fence is not expected to have a negative impact on the views to the public or neighboring properties.
4. Whether granting the permit would tend to result in the granting of a special privilege, in the sense that granting this permit would tend to preclude granting similar permits to neighboring property. If the benefit to the applicant and community is determined to exceed the detriment to the community, the permit shall be approved. The planning commission may, by providing reasonable notice to neighboring property owners, develop standards or criteria applicable to the entire block within which the property is located.

Staff analysis: Private improvements within the public right-of-way are commonplace within the Depot Hill neighborhood, including fences. However, there are a limited number of cases where encroaching fences exceed 42 inches in height. In 2017, a fence in the right-of-way in front of 407 El Salto, two properties away, was approved to a height of 48 inches and the gate up to 54 inches.

Design Permit

Chapter 17.60 of the Capitola Municipal Code outlines regulations for fence permits. The maximum height along both street frontages of a corner lot is three-feet six-inches. The proposed fence is four-feet ten-inches tall. §17.60.010(B) requires a design permit by Planning Commission to exceed maximum fence height. The Planning Commission may approve the fence height provided the deviation will not result in a significant adverse impact for neighboring properties, public access, or views or the community at large. Also, one or more of the following must apply:

1. Unique circumstances exist on the site, such as a property line abutting a highly trafficked public street or path or historic use of screening for the property; and/or
2. The deviation is necessary for the reasonable use and enjoyment of the property.

The proposed fence will replace the existing bamboo screening that is currently used for privacy screening of the property. Also, the corner lot is unique in that there is limited outdoor space on the subject property other than along the street frontage. The applicant is limiting the four-foot ten-inch fence to the Hollister Avenue frontage and the corner. The El Salto frontage, which functions as a front yard, will not have a fence between the home and the street. Allowing the height deviation for the fence along Hollister Avenue will allow the property owner to have some private outdoor space to enjoy while maintaining an open front yard along El Salto Drive.

Recommendation

Staff recommends the Planning Commission approve project application #21-0548 based on the Conditions and Findings for Approval.

Conditions of Approval

1. The project approval consists of a tree removal permit for the removal of seven palm trees, a major revocable encroachment permit for a new fence, wooden bench, and landscaping, and a design permit to allow a height deviation for the fence up to 4-feet ten-inches. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 3, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 7 palm trees to be removed from the property and adjacent public right-of-way. The applicant shall plant five new trees. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans, with the required modification to the plans that at least two replacement trees must be located on the subject property.
3. Prior to construction, all Planning fees associated with permit #21-0548 shall be paid in full.
4. Prior to issuance of a building permit or revocable encroachment permit, 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.

5. Prior to issuance of building permit or revocable encroachment permit, 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).
6. 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.
7. 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
8. 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.
9. Prior to project final, 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.
10. 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 17.81.160.
11. 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.
12. Prior to construction or tree removals, the applicant shall obtain an approved revocable encroachment permit.

Encroachment Permit Findings

- A. The project, subject to the conditions imposed, secures the purposes of the Chapter 12.56 for Private Improvements on Public Property.**
Community Development Staff and the Planning Commission have reviewed the project. The proposed fence, landscaping and minor improvements are consistent with

considerations for major revocable encroachment permits.

B. This project is categorically exempt under Section 15301(e) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts minor alterations to existing public and private topographical features, provided the project involves negligible or no expansion of use. The proposed fence, landscaping, and minor improvements serve an existing residential use. No adverse environmental impacts were discovered during review of the proposed project.

Tree Removal Findings

A. The application, subject to the conditions imposed, will secure the purposes of the Community Tree and Forest Management Ordinance including the city goal of 15 percent canopy coverage.

Community Development Department Staff and the Planning Commission have both reviewed the major landscape renovation project. The project involves extensive topographical work. The major landscape renovation is considered to be a remodel in the discretionary review by the Planning Commission. The application, subject to the conditions imposed, will secure the purposes of the Community Tree and Forest management Ordinance to meet the city goal of 15 percent canopy coverage.

B. The project secures the policy of the city to protect the locally significant, scenic and mature trees as listed in the heritage tree list to be adopted pursuant to this chapter, in order to protect the character of Capitola.

The proposal would remove seven palm trees, but would not impact any locally significant, scenic, and mature trees.

C. The project secures the overall goals of the Community Tree and Forest Management Ordinance to protect and increase the level of tree cover on public and private lands within the city, maintain trees in a healthy and non-hazardous condition, and promote planting of additional trees to increase tree cover (hereby referred to as canopy coverage) throughout the city.

The proposal would result in a net increase of tree cover within the city.

D. The project secures the policy of the city to encourage new tree planting on public and private property and to cultivate a flourishing community forest.

The proposal would remove seven palm trees and add five new trees, for a total of nine trees within the project area.

E. The project secures the goal of the city to maintain and enhance the tree canopy coverage existing at the time of adoption of the ordinance codified in this chapter (as determined through aerial photography taken within twelve months from adoption of the ordinance codified in this chapter), and to increase flowering tree canopy to help identify and beautify city streets and neighborhoods.

The proposal would maintain the long-term tree canopy coverage and increase flowering tree canopy which helps identify and beautify city streets and neighborhoods.

- F. The project secures the goal of the city to maintain fifteen percent coverage of tree canopy on individual lots, consisting of flowering, deciduous, and evergreen trees, to be enforced on an on-going basis via the design review process.**

The proposal, subject to the conditions imposed, would secure the goal of maintaining canopy coverage on individual lots with trees that are more compatible with the goals of the Community Tree and Forest Management Ordinance.

DESIGN PERMIT FINDINGS

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

The height deviation for the fence is consistent with the design regulations adopted by the City Council with Planning Commission approval of a design permit.

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

The height deviation for the fence complies with the zoning code with approval of a design permit by Planning Commission.

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

Section 15301 of the CEQA Guidelines exempts minor alterations to existing public and private topographical features, provided the project involves negligible or no expansion of use. The proposed fence, landscaping, and minor improvements serve an existing residential use. 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.**

The height deviation for the fence has been cited to ensure safety of vehicles at the corner of El Salto Drive and Hollister Avenue.

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

The proposed project complies with the specific criteria for review of a height deviation by Planning Commission including unique circumstances existing on the site and the deviation is necessary for the reasonable use and enjoyment of the property.

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

The fence is a great improvement over the current bamboo screen which exists along the property frontage.

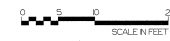
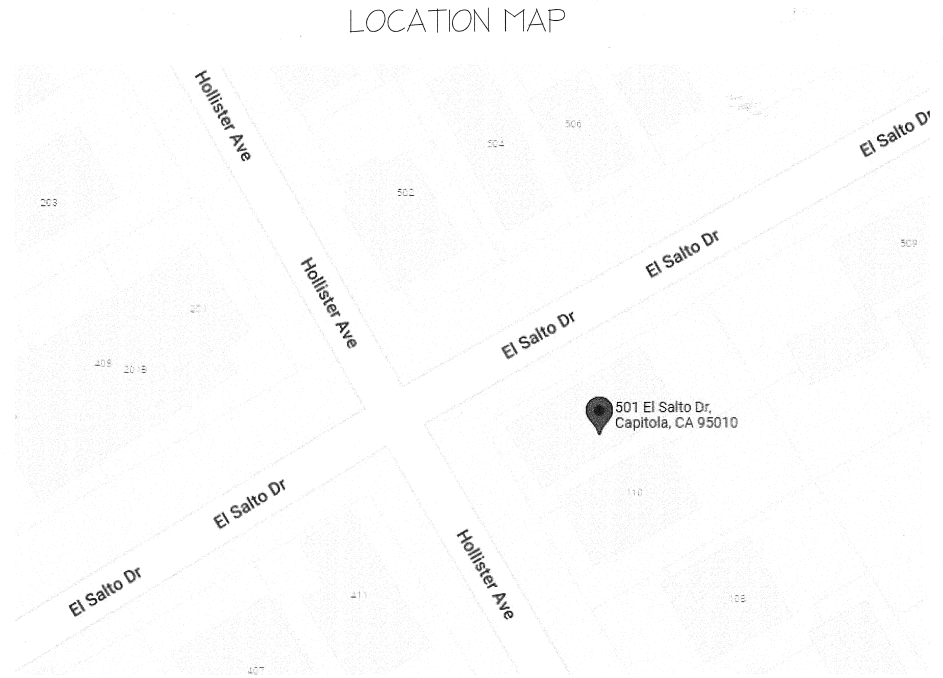
LANDSCAPE UPDATE WITH TREE REMOVAL

APN: 03614411

501 EL SALTO DRIVE
CAPITOLA, CA 95010

CONTENTS:

- L1 Cover Sheet
- L2 Proposed Planting / Proposed Tree Removal
- L3 Irrigation Design / Water Use Calculations
- L4 Layout of Existing and Proposed Features
- L5 Construction Specs.



ALYSON FLYNN
LANDSCAPE ARCHITECT & ASSOCIATES
1000 Highway 101
Hollister, CA 95023
Phone (408) 274-1114
Landscape Architect No. 3071



Ducky Grabill
501 El Salto Drive
Capitola, CA 95010

Date	Oct 6, 2021
Scale	1/8" = 1'-0"
Drawn	CLL/AF
Sheet	11
of	5 Sheets

Revisions	By
Sept. 01, 2021	CL
Sept. 23, 2021	CL

This plan is for general construction only, it is not fully detailed or specified. It is the responsibility of the contractor and/or owner to select, resolve, and install all construction features, planting materials, irrigation systems, and/or areas drains and drainage pipes.

The Landscape Architect will not be observing construction of this project. The contractor/owner is solely responsible for the quality control and construction standards, and the placement of all landscape features for this project.

All construction shall meet or exceed the latest edition of codes adopted by the local governing agencies.

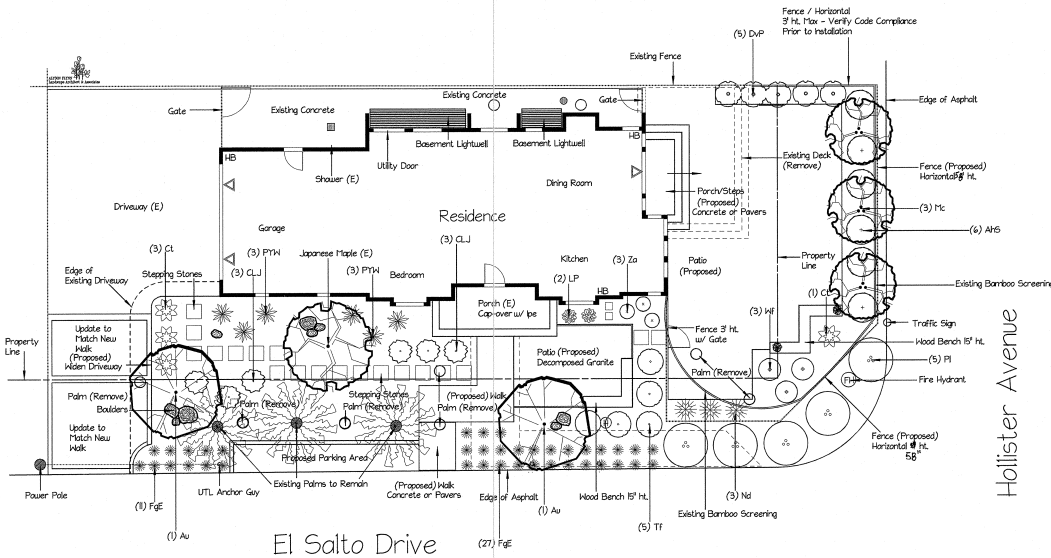


ALYSON ELVIN
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50 San Tropez Drive
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Phone: (408) 274-4414
Landscape Architect No. 3074



Ducky Grabbitz
501 El Salto Drive
Capitola, CA 95010

Date	Aug 09, 2021
Scale	1/8" = 1' 0"
Drawn	CLL/AF
Sheet	L2
of	5 Sheets



Plant List

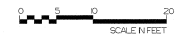
Qty	Botanical Name	Common Name	Size	Water Use / Origin
Trees				
Au 2	Arbutus unedo	STRAWBERRY TREE	15 gal	Low
Mc 3	Myrica californica	CALIFORNIA WAX MYRTLE	15 gal	Low / CA NATIVE
Shrubs				
AHS 16	Alysicarpus huggelii Santa Cruz	SANTA CRUZ BLUE HEBECLUS	5 gal	Low
CLJ 6	Calliternon Little John	LITTLE JOHN BOTTLEBRUSH BUSH	2 gal	Low
CL 4	Chenopodium tectorum	SHALL CAPE RUSH	2 gal	Low
DVP 5	Dodonaea viscosa Purpurea	FLORIDIA HORSE-SEEDED BUSH	5 gal	Low
Nd 3	Nandina domestica	HEAVENLY BARBOO	2 gal	Low
PI 5	Prunus lyonii	CATALINA CHERRY	5 gal	Low / CA NATIVE
MF 3	Hesperis matronalis	AUSTRALIAN ROSEMARY	2 gal	Low
Ornamental Grasses				
FGE 30	Festuca glauca El Jih Blue	BLUISH BLUE FESCUE	1 gal	Low
Perennials and Annuals				
LP 2	Limonium Persea	SEA LAVENDER	1 gal	Low
PHY 6	Phoradendron flavum	YELLOW WAVE FLAX	5 gal	Low
TF 5	Teucrium fruticosum	BUSH GERMANDER	1 gal	Low
Za 3	Zantedeschia aethiopica	WHITE CALLA LILY	1 gal	Moderate to Medium

Apply 2"-3" layer of fir bark on all planting areas or Small Gravel

NOTES

○ = Existing Palms to Be Removed

● = Existing Rock/Boulders on Site - Relocate as Shown

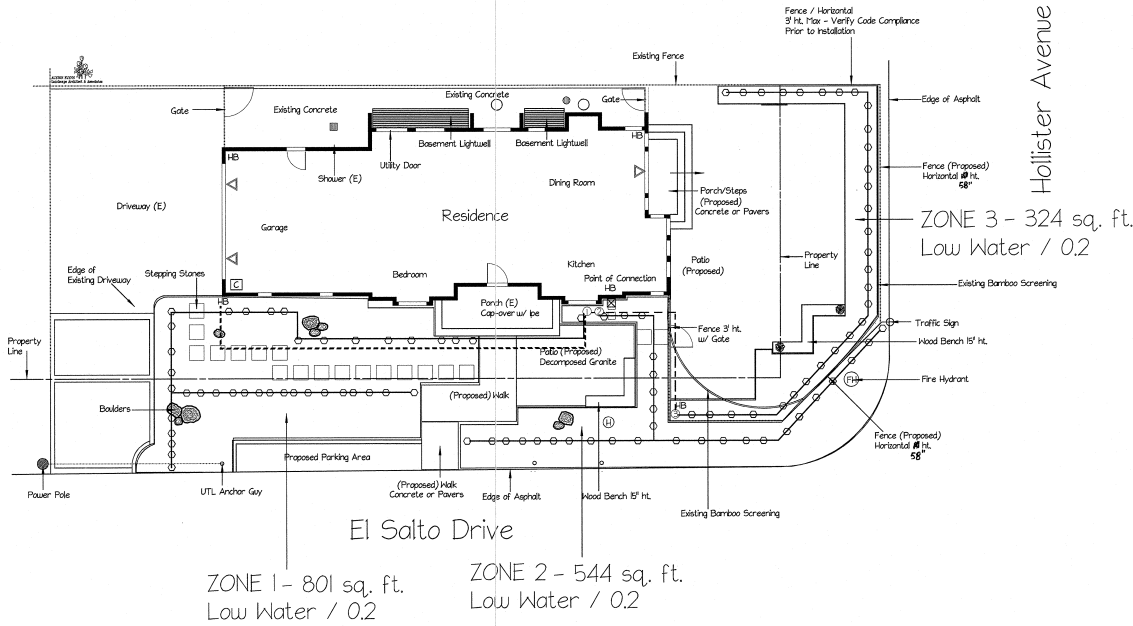


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The Landscape Architect will not be observing construction of this project. The contractor/owner is solely responsible for the quality control and construction standards, and the placement of all landscape features for this project.

All construction shall meet or exceed the latest edition of codes adopted by the local governing agencies.

MAWA, ETWU AND ETAF CALCULATIONS



Water Control ETS by Soil Site	ETAF	ETAF Index per acre
Zone 1	0.20	160.2
Zone 2	0.20	108.8
Zone 3	0.20	64.8
Total	0.20	333.8

Application	Area (sq. ft.)	ETAF	ETAF Index per acre
Zone 1	801	0.20	160.2
Zone 2	544	0.20	108.8
Zone 3	324	0.20	64.8
Total	1669	0.20	333.8

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Zone 1	801	0.20	160.2
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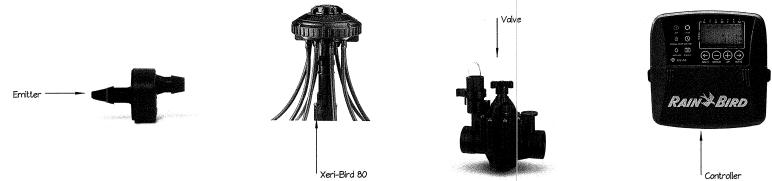
ETAf CALCULATIONS

Regular Landscape Area
 Total ETAf x Area 334
 Total Area 1669
 Average ETAf 0.20

Average ETAf for Regular Landscape Areas
 Must be .55 or Below for Residential Areas.

SYMBOL	DESCRIPTION	BRAND	MODEL	SPRAY NOZZLE	PATTERN *
(NOT SHOWN)	⊕ EMITTERS 1/2 GPH	RAN BRD	XB-05PC	2 PER EA. 1 GAL	4 PER EA. 5 GAL
	○ XER-BRD-80	RAN BRD	XER-BRD-80		(QTY AS NECESSARY)
	Ⓢ ELECTRIC VALVES	RAN BRD	100-RGA		
	PRESSURE VACUUM BREAKER	MILBENS	475M1.2 - F (LEAD FREE)		
	CONTROLLER	RAN BRD	STB - 20 WiFi Smart Irrigation WiFi Sprinkler Timer - 6 Zone		
	HB		Hose Bib		
	PIPING / TUBING	SCH/CLASS	TYPE	SIZE	
	MAN LINE PIPING	SCH 40	PVC	1" (Irrigation Supply Line)	
	LATERAL LINE	CLASS 200	PVC	3/4"	
(NOT SHOWN)	TUBING	RAN BRD	1/4"		

NOTE: IRRIGATION PLAN IS DIAGRAMATIC. FIELD MODIFICATION MAY BE NECESSARY TO PROVIDE COMPLETE COVERAGE.
 INSTALL AN AUTOMATIC RAN SHUT-OFF DEVICE
 50 PSI - MAN LINE PIPING
 INSTALL A PRESSURE REGULATOR AS NECESSARY.



* has complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the Landscape design plan.
 * has complied with the Criteria of the Water Conservation in Landscaping Ordinance and applied them accordingly for the efficient use of water in the Irrigation design plan!



ALYSON FLYNN
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 Landscape Architect No. 3074

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 Capitola, CA 95010

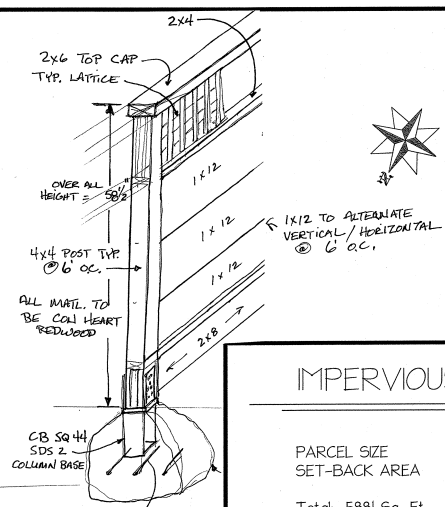
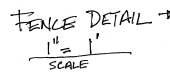
Date Oct. 18, 2020
 Scale 1/8" = 1' 0"
 Drawn CLL/AF
 Sheet L3
 of 5 Sheets

Revisions	By
Sept. 01, 2022	CLL
Sept. 21, 2022	CLL

This plan is for general construction only, it is not fully detailed or specified. It is the responsibility of the contractor and/or owner to select, resolve, and install all construction features, planting materials, irrigation systems, and/or areas drains and drainage pipe.

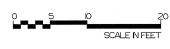
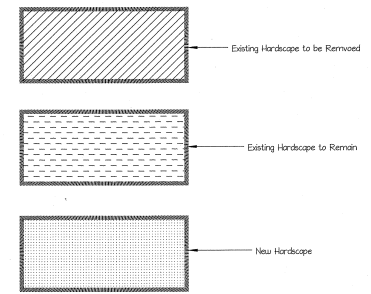
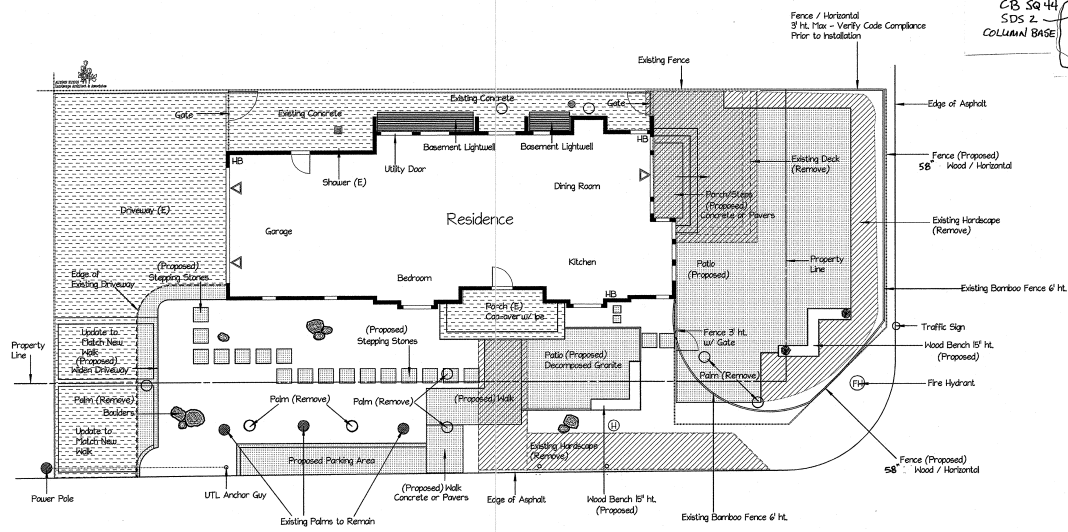
The Landscape Architect will not be observing construction of this project. The contractor/owner is solely responsible for the quality control and construction standards, and the placement of all landscape features for this project.

All construction shall meet or exceed the latest edition of codes adopted by the local governing agencies.



IMPERVIOUS COVERAGE

PARCEL SIZE	4008 Sq. Ft.
SET-BACK AREA	1873 Sq. Ft.
Total: 5881 Sq. Ft.	
EXISTING SITE COVERAGE:	
Dwelling	1396 Sq. Ft.
Driveway	907 Sq. Ft.
Deck, Walkway, Patio	1785 Sq. Ft.
Total: 4088 Sq. Ft.	
PROPOSED SITE COVERAGE:	
Dwelling	1396 Sq. Ft.
Driveway	985 Sq. Ft.
Walkways and Patio	1605 Sq. Ft.
Pervious Decomposed Granite Patio	(151 Sq. Ft.)
Total Proposed Impervious Coverage 3986 Sq. Ft.	
Proposed Impervious Coverage Reduction 102 Sq. Ft.	



ALYSON FEINER
 LANDSCAPE ARCHITECT & ASSOCIATES
 501 El Salto Drive
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 Phone: (408) 274-1114
 Landscape Architect No. 5074



Ducky Grabil
 501 El Salto Drive
 Capitola, CA 95010

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IRRIGATION SYSTEM

101 WORK INCLUDED: Irrigation system required for this Work is indicated on the drawing.

102 RELATED WORK

A. Planting

103 QUALITY ASSURANCE

A. Codes and standards in addition to complying with all pertinent codes and regulations, comply with the latest rules of the National Electric Code and the Electric Safety Orders of the State of California, Division of Industrial Safety, for all electrical work and materials.

B. Qualifications of installers: Provide at least one person who shall be present at all times during execution of this portion of the work and who shall be thoroughly familiar with the type of materials being installed and the manufacturer's recommended methods of installation, and who shall direct all work performed under this section.

201 PPE

A. Brass Pipe and Fittings

1. Brass pipe shall be 85 red brass, American National Standards Institute (ANSI), Schedule 40 standard pipe.

2. Fittings shall be medium brass, screwed, 15 pound class.

B. Plastic Pipe

1. All plastic pipe shall be continuously and permanently marked with the manufacturer's name, pipe size, PS size (schedule number), type of material and code number.

2. Pipe shall be made from an NSF approved Type I Grade I PVC compound conforming to ASTM resin specifications D7518. All pipe must meet requirements as set forth in Federal Specifications PS-22-10, with an appropriate standard dimension ratio (SDR), (Schedule-weight Pipe).

3. All pressure lines shall be Schedule 40 polyvinyl chloride, marked 100-1220, and bearing the seal of the National Sanitation Foundation.

4. All lateral lines shall be class 200 (minimum) polyvinyl chloride, marked 100-1220, and bearing the seal of the National Sanitation Foundation.

5. Unless otherwise noted, all fittings for polyvinyl chloride pipe shall be schedule 40 polyvinyl chloride, type I, bearing the seal of the National Sanitation Foundation, and complying with ASTM D2466.

6. For joining, use a solvent complying with ASTM 2466 and recommendations of the manufacturer of the plastic pipe.

202 RISERS

A. Lawn heads and in-slip shrub heads shall have Schedule 80 pipe risers with flexible and damage resistant rubber ripple below grade.

B. Sprink heads shall have Schedule 80 pipe risers with flexible and damage resistant ripple below grade.

203 SPRINKLER HEADS

Furnish and install all sprinkler heads as indicated on the drawings.

204 BACKFLOW PREVENTER

Furnish and install the backflow preventer indicated on the drawing.

205 CONTROL VALVES

Furnish and install the control valves indicated on the drawings.

206 OTHER MATERIALS

All other materials, not specifically described but required for a complete and proper irrigation system, shall be new, first quality of their respective kinds.

EXECUTION

301 SURFACE CONDITIONS

A. Inspection

1. Prior to all work of this section, carefully inspect the installed work of all other trades and verify that all such work is complete to the point where this installation may properly commence.

2. Verify that the irrigation system may be installed in strict accordance with all pertinent codes and regulations, the original design, the reference standards, and the manufacturer's recommendations.

B. Discrepancies Do not proceed with installation in areas of discrepancy until all such discrepancies have been fully resolved.

302 FIELD MEASUREMENTS

Make all the necessary measurements in the field to insure precise fit of items in accordance with the original design.

303 TRENCHING AND BACKFILLING

A. Trenching Procedures

1. All trenches shall be dug straight with vertical sides and with bottoms smooth and level. Trenches may be machine or hand dug.

2. All trenches shall be wide enough to permit easy access for installing pipe, and wire, and allow enough width for ending of PVC pipe. Trench shall be a minimum of 2-1/2 times the size of the pipe.

3. All trenches shall be dug to a depth to allow for 12 inches cover over pressure supply pipe and 8 inches cover over non-pressure lateral pipe.

B. Condit. installed under pavement

Condit. installed under existing pavement shall be done by approved jacking, chipping, or boring. Excessive use of water that will soften subgrade or undermine the pavement shall not be permitted. All main line under pavement shall be sleeved with 12" cover. All lateral lines under pavement shall have 8" cover with a 4' on envelope.

C. Backfill Procedures

1. All debris and rocks shall be removed from the trenches and the backfill material.

2. All pressure supply pipe shall be laid on a minimum of four inches of sand and covered with four inches of sand.

3. Trenches shall be backfilled with the excavated soil (and sand for pressure lines) after pipe and wire have been installed, and compacted by flooding to the same relative compaction as the surrounding soil.

304 INSTALLATION OF PPRG

A. General

1. Lay out the piping system in strict accordance with the Drawings.

2. Where piping is shown on the drawings to be under paved areas but running parallel and adjacent to planted areas, the intention is to install the piping in the planting areas.

B. Piping depth install all piping to the following

Pressure supply lines 12 inches cover
Non-pressure lateral line 8 inches cover

C. Inspection of pipe and fittings

Carefully inspect all pipe and fittings before installation, removing all dirt, scale, and burrs and reaming as required install all pipe with all markings up for visual inspection and verification.

305 PLASTIC PPE

A. Exercise care in handling, loading, unloading, and storing plastic pipe and fittings; store plastic pipe and fittings under cover until ready to install, transport plastic pipe only in a vehicle with a bed long enough to allow the pipe to lay flat to avoid undue bending and concentrated external loads.

B. Repair all dented and damaged pipe by cutting out the dented and damaged sections and rejoining with a coupling.

C. In joining, use only the specified solvent and make all joints in strict accordance with the manufacturer's recommended methods; give solvent solvents at least 15 minutes set-up time before moving or handling; and 24 hours curing time before filling with water.

D. Center load all plastic pipe with a small amount of backfill to prevent arching and whipping under pressure.

E. For plastic to steel connections, work the steel connections first; use a non-hardening pipe dope on all threaded plastic to steel connections and use only light wrench pressure.

306 INSTALLATION OF EQUIPMENT

A. Control Valves install control valves as indicated on the Drawings and in accordance with the manufacturer's recommendations.

B. Sprinkler Heads

1. Lay out sprinkler heads and make any adjustments required due to differences between site and drawings.

2. Install all pop-up heads at finish grade. Place part circle heads 1" from edge of and flush with top of adjacent walks, header boards, curbs, and paved areas at the time of installation.

3. Install shrub spray heads as indicated on the drawings in strict accordance with the manufacturer's recommendations.

C. Backflow Prevention Unit install where indicated on the Drawings and in strict accordance with all pertinent codes, regulations, and the manufacturer's recommendations.

307 CLOSING OF THE PPE AND FLUSHING OF LINES

A. Cap or plug all openings as soon as lines have been installed to prevent entrance of materials that would obstruct the pipe. Leave in place until removal is necessary for completion of the installation.

B. Thoroughly flush out all water lines before installing valves, heads, other equipment.

308 TESTING AND INSPECTION

A. Closing in uninspected work Do not allow or cause any of the work of this Section to be covered up or enclosed until it has been inspected, tested, and approved by the Landscape Architect/Owner.

B. Test all pressure lines under hydrostatic pressure of 100 pounds per square inch and prove watertight.

C. Sustain pressure in pressure mainlines for not less than twenty four (24) hours; sustain pressure in non-pressure lines for not less than two (2) hours. If leaks develop, replace joints and repeat tests until entire system is proven watertight.

309 FIELD QUALITY CONTROL

A. Adjustment of the system

1. The Contractor shall flush and adjust all sprinkler heads for optimum performance and to prevent over-spray onto walks, roadways, and buildings as much as possible. If additional heads are necessary to prevent over-spray, the contractor shall add the additional heads as necessary.

2. Check sprinkler system at each watering adjust coverage and clean heads immediately. Adjust timing of sprinkler controller to prevent flooding.

3. If it is determined that adjustments to the irrigation equipment will provide proper and more adequate coverage, the Contractor shall make such adjustments prior to planting.

4. Adjustments may also include changes in nozzle sizes and degrees of arc as required.

PLANTING

101 WORK INCLUDED:

A. Subgrade preparation.

B. Finish grading and shaping of surface to receive planting.

C. Soil conditioners and fertilizers for planting areas and backfill mix for trees and shrubs.

D. All plant materials.

E. Staking.

F. Related work specified elsewhere in this Irrigation System.

102 QUALITY ASSURANCE

A. Qualification of workmen Provide at least one person who shall be present at all times during execution of this portion of work, who shall be thoroughly familiar with the type of materials being installed and the proper materials and methods for their installation, and who shall direct all work performed under this section.

B. Standards

1. All plants and planting material shall meet or exceed the specifications of Federal, State, and County laws requiring inspection for plant disease and insect control.

2. Quality and size shall conform with the current editions of "Horticulture Standards" for number one grade nursery stock as adapted by the American Association of Nurserymen.

3. All plants shall be true to name.

201 MATERIALS

A. Topsoil Topsoil shall be free of debris, old weeds, or other foreign matter. Any contaminated soil shall be removed, disposed of properly and replaced with acceptable topsoil.

B. Fertilizers and soil conditioners

1. Organic amendments shall be nitrified-mineralized reduced sulfur (25% actual nitrogen).

2. Provide commercial fertilizer, delivered to the site in bags labeled with the manufacturer's guaranteed analysis.

(1) 11-4-4

(2) Plant Tabs 26m - 20-10-5

C. Planter soil mix - mix to be composed of:

1. Peatm to fine sand 50 (By volume)
2. Spagnum peat moss (compressed) 25
3. Fine Fir bark 25

D. Tree ties Heavy rubber strip ties.

E. Tree stakes 2" diameter x 100" actual dimension for fifteen gallon trees. Use hedge pole pins, pointed at one end and staked over their entire length with green single stakes.

F. Plant materials

1. All plants materials shall be healthy, well-developed representatives of their species or varieties, free from deformations with well developed branch and root systems.

2. Sizes of tree and shrub containers shall be stated on the planting plan.

3. Protect all plants from damage by sun, wind, or rain at all times before planting.

4. Substitutions will not be permitted except that, if any plant is not available, all substitutions will be subject to Landscape Architects approval.

G. Mulch Provide Fir bark chips " in size.

301 SITE CLEARING AND GRUBBING

A. Clean up and remove from planting areas, plants designated for removal, including roots, and any accumulated debris and rubbish before commencing work.

B. Remove and dispose of all soil in planting areas that contain any deleterious substance such as oil, plaster, concrete, gasoline, paint, solvents, etc. The affected soil shall be replaced with topsoil as required.

302 INSTALLATION OF SUPPORT SOIL

A. Install imported top soil in all planting areas as required to obtain proper grades.

B. Install in maximum 6" lifts. Compact to 85.

303 FINISH GRADING

A. Surfaces of planting areas shall be graded and shaped. Finished surfaces shall be uniform and smooth, true to slopes and grades making certain that no water pockets or irregularities remain. Particular attention

shall be given to the installation of surface drainage swales.

B. Soil shall be removed at foundation of home 4" below stucco base, crowning planting areas as necessary to assure positive drainage away from foundation.

C. All soil shall be graded to a minimum of 2" below the top of all paving and header board edging in all planting areas.

D. All soil shall be graded to 4" below deck fascia, grading planting areas to drain away from deck.

304 SOIL CONDITIONING (AS NECESSARY)

A. Planting Areas incorporate evenly into the top 8" for each 1000 sq. ft. 3 cu. yds. Nitrified reduced sulfur.

305 PLANTING

A. Determine location of trees and shrubs by scaling planting plan.

B. Excavate holes with vertical sides for all plants. Holes shall be twice the diameter and 4" deeper than the container or rootball up to its gallon size material; for 15 gallon size and larger, holes shall be twice the diameter and the same depth as container or rootball.

C. Plant material shall be planted in the same way that after setting, the crown of the plant bears the same relation to finish grade that it did to the surface in the container.

D. Backfill trees and shrub holes with a prepared mix as follows:

6 parts (by volume) topsoil
4 parts (by volume) nitrified shavings or equal
10 lbs. 11-4-4 per cu. yard of mix.

E. Install Planting Tablets per the following schedule

1 gallon 1 tablet
5 gallon 2 tablets
15 gallon 5 tablets
24" box 7 tablets

F. Form a shallow basin around edge of plant hole.

G. Grade area around plants to finish grades and dispose of excess soil.

H. Stake or guy all trees as necessary, removing training stakes, and restaking as necessary to provide proper growth. FMI trunk braces shall be vice staked to support top-heavy branches.

I. Pruning

1. Prune minimum necessary to remove injured twigs and branches, deadwood and suckers.

2. Prune plants according to standard horticultural practices.

3. Prune to shape all existing plant material, remove more than one plant of the same variety is planted in a group, all plants shall be pruned evenly to assure growth equality on all plants.

J. Transplanting

1. Excavate and retain as much existing rootball of the plant.

2. Wrap the rootball with burlap to transport, transplant in designated location, removing the burlap.

3. Prune back plant 1/3, and water immediately.

4. Use Vitamin B-1, per directions, to reduce transplant shock.

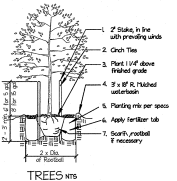
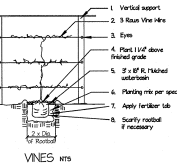
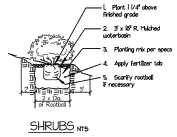
306 MULCH / GRAVEL

A. Apply 2"-3" layer of fir bark on all planting areas or Small Gravel

307 CLEAN UP

A. During the course of the work, remove surplus material from the site and leave the premises in a neat and clean condition.

B. Clean up and remove all remaining debris and surplus materials upon completion of work, leaving the premises neat and clean.



ALISON PLYNN
LANDSCAPE ARCHITECT & ASSOCIATES
501 El Saito Drive
Hollister, CA 95023
Phone (408) 274-1114
Landscape Architect No. 2074



Ducky Grallin
501 El Saito Drive
Capitola, CA 95010

Date Oct. 18, 2021
Scale No Scale
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Sheet L5
of 5 Sheets

Specs

To: Planning Commission,
City of Capitola

1/21/22

Attn: Sean Sesanto Assistant Planner

Project at 501 El Salto Dr

APN 03614411

Our proposal, while the home is not being remodeled, there is extensive new landscape being proposed.

This includes:

- All new planting (see plan)
- All new irrigation (see plan)
- Removal of 7 palm trees
- Existing Bamboo screen/fencing replaced with redwood fencing, location and proposed height and design on plan.
- Replacement of hardscape (some re-configuration) much damaged by recently removed Cypress and Junipers along Hollister and the corner of El Salto.
- Slight expansion of the driveway
- Reduction in size of existing deck (previously approved to encroach on set back with original house plan approval) to conform with setbacks.
- Tree and planting replacement as required
- Other items shown on plans such as wood benches shrubs etc. as far as I am aware all other elements are conforming.

The property is unusual in the sense that as a corner lot, for planning purposes, the “front” of the house is along Hollister while the “side” yard is along El Salto. This is a “non self-imposed hardship”. For all practical purposes, the Front Yard is actually along El Salto and the Side yard is along Hollister. The address is El Salto and the front door is on El Salto and that is the practical orientation. This makes for unusual circumstances when considering some setbacks and other requirements.

Along El Salto there are a series of Palm trees that when planted 25 years ago were located fairly close together. 25 years later these trees seem crowded, have grown to destroy the existing irrigation system and in our opinion are much too close together. Our proposal is requesting better spacing for the existing palms (better aesthetics) which requires removal of a number of said palm trees.

Palms have relatively small canopy coverage and the replacement trees (complimentary to the area) will far exceed any loss of (Palm) canopy. We think also that the proposed landscape and planting including new trees will enhance the aesthetic appeal of the neighborhood. We still maintain three appropriately spaced palm trees (after removal of others) as part of the plan.

The new/replacement fencing is requested to be approx. 58" tall exceeding the designated height of 36". The existing Bamboo screen/fence being replaced is 6' tall. One of our concerns is the number of "dog walkers" along Hollister. Our proposed fencing will increase privacy and provide a more solid barrier (for the 3' height) and then have a lattice detail on top that allows for transparency (upper section). We have dogs and grandchildren! We feel that this fence design and height will improve safety as well as privacy not only for our side but the street side as well.

We ask the Planning Commission to approve our plan/application. Our hope is to improve landscape aesthetics, improve safety for private and public conditions and conform to the understood intent of the City of Capitola.

Sincerely,

Mike Grabill

408 590 4748

Mgdci72@gmail.com

For:

Ducky Grabill

Owner at 501 El Salto Dr

1/25/2022

To the Planning Commission

I am the owner of 501 El Salto Dr. The current landscaping of the property has been neglected for many years. The over planted Palm trees have rounded up to 12 inches above the ground & have completely destroyed the irrigation system. I have a hired a very experienced landscape designer to come up with a plan that will greatly improve the aesthetics of the neighborhood of the property. There is an emphasis on native plants & drought tolerant plants.

I am requesting an increase in the fence height guidelines & am asking for your consideration on this issue. What is technically deemed my front yard is in reality serving as my only contained gathering space. (i.e. in reality it is my "backyard") I have a dog & a small grandchildren & for the sake of safety & privacy I am asking you to allow this exception to the fence height. I have talked to many of my neighbors about

plan & they are very supportive.
I understand the implication
of the City's easement & I am
prepared to sign the necessary
documents to assure my
cooperation to remove that fence
in the future if the City of
Capitola enforces its proposal.

Sincerely,
Dwight Galull

Capitola Planning Commission

Agenda Report

Meeting: March 03, 2022

From: Community Development Department

Address: Report on Upper-Floor Decks



Planning staff response to Planning Commission request for information on how other jurisdictions regulate upper-floor decks and how the City processed upper-floor decks under the prior version of the Zoning Ordinance

Background:

At the January 20, 2022 meeting, the Planning Commission requested information on how other communities regulate upper-floor decks and how the City processed upper-floor decks under the prior version of the Zoning Ordinance. Planning staff has prepared this report in response.

In May of 2021, the Capitola zoning code update was certified by the Coastal Commission and became applicable throughout the City. The updated zoning code modified the review of upper-floor decks. Since the updated took effect, multiple application for upper-floor decks have gone before Planning Commission and have been a topic of concern by neighbors and the Planning Commission. Setbacks, privacy, and neighborhood compatibility are the primary issues.

Discussion:

Under Capitola's previous zoning code, all upper floor decks required Planning Commission approval of a design permit and the area of the deck was counted toward the maximum floor area of the building.

Under current code, upper-floor decks on side or rear and all rooftop decks require Planning Commission review for a design permit. The current code does not require a design permit for upper-floor decks on the front of the home or adjacent to open space.

The current code no longer includes the area of upper-floor decks in floor area. Maximum floor area is a tool to limit massing a building. During the code update, decks were removed from the floor area calculation as they typically do not contribute to the massing of the building. In terms of design, a deck can add visual interest and assist in breaking up the massing of a façade. When the floor area was removed for decks, the City directed staff to ensure that all upper-floor decks be reviewed by Planning Commission, except when on the front of a building or adjacent to open space.

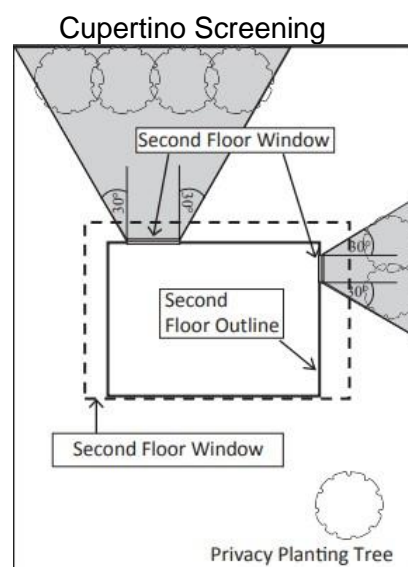
In both the previous code and the updated code, upper-floor decks have been subject to increased side setback of fifteen percent of lot width. No additional objective development standards apply to upper-floor decks within the Capitola code.

Since upper-floor decks are no longer counted toward floor area, the City is seeing a trend of more upper-floor decks included in applications. A new opportunity exists for homeowners to add upper-floor deck(s) to a home that has reached the maximum floor area ratio (FAR). The upper-floor deck applications tend to be controversial. Issues of privacy are, to varying degrees, subjective and often not known until the public hearing. The Planning Commission is tasked with reviewing the proposed decks for consistency with design permit criteria, weighing precedent, and making a qualitative determination for a final decision. An improved process would include more objective standards for staff to advise applicants early on and reduce the ambiguity of a case-by-case review.

Other Jurisdictions

Planning staff searched readily available Zoning Ordinances to find a range of ways to regulate and process upper-floor and rooftop decks. The following list includes the jurisdiction and a summary of their process and/or standards:

1. Menlo Park – Allowed on all sides. Building setbacks are 10 foot on the side and 20 foot rear setback. Upper floor decks and balconies are required to have a 20 foot side setback and 30 foot rear setback. This doubles the typically required side setback and 1.5 times the rear setbacks. *Increases setbacks.*
2. Cupertino – Only allowed on front or rear of the house. Mitigation plantings must be installed at the property line. The area to be screened is defined by projecting a 30 degree angle from each side of the deck attachment to the building and projecting toward the property line. Mitigation plantings must be a minimum of 12 foot tall screening plantings (see graphic). *Regulates placement and requires heavy mitigation and hearing.*



3. Los Altos Hills – Allowed on all sides. Deck surfaces 3 feet or more above grade shall not extend more than 6 feet from the building line. Allowed on all sides of the building. *Limits size and indirectly use.*

4. Santa Cruz County Pleasure Point Community Design Standards – Allowed on all sides. Decks/Walkways Allowed in Second Floor Setback: Decks or walkways are permitted in the second-floor setback area on top of the first-floor roof so long as the top of the hand railing does not exceed 15-feet in height from finished grade. *Contained within roofline and height of first floor.*
5. Coronado – Allowed on all sides. Public hearing required. Upper floor decks must be open on three sides (no solid walls, railings only) and have no roof. Must comply with daylight plane. Daylight plane is 18 feet vertical at the property and sloping toward the center of the property at a 45 degree angle. Also, reduces FAR by 0.01 (FAR Deduction). *Requires hearing. Not readily convertible to Floor Area with solid walls and roof and daylight plane serves as increased setback.*

Next Steps:

The Planning Commission has the following options regarding next steps:

1. Direct staff to focus the effort and prepare more research of other jurisdictions and return to the Planning Commission.
2. Accept staff presentation and direct staff to prepare draft code amendment with preference on example standards and return to the Planning Commission.
3. Accept staff presentation and direct staff not to pursue a code amendment related to upper-floor decks.

Attachment 1. Code Excerpts

See below for other jurisdiction direct code sections that are summarized above.

Menlo Park – 16.60.020 Balconies ...balconies and/or decks above the first floor on any side directly abutting a single family district shall be located twenty (20) feet or more from the side property lines and thirty (30) feet or more from the rear property line...

Cupertino - 19.28.090 K. Minimum setbacks for second story decks, patios, balconies, or any other similarly unenclosed features. Second story decks may only be located on the front and rear of the house. All new or expanded second story decks with views into neighboring residential side or rear yards shall file for a Minor Residential Permit in accordance with Chapter 19.12, in order to protect the privacy of adjoining properties. The goal of this permit requirement is not to require complete visual protection but to address privacy protection to the greatest extent while still allowing the construction and use of an outdoor deck.

Los Altos Hills - Grading Policy The height of the lowest finished floor(s) of a structure should generally not be set in excess of four feet six inches (4'6") feet above the existing grade, to assure that structures step with the slope. Supported decks shall generally not exceed three (3') feet above adjoining grade except where located within six (6') feet of a building.

Santa Cruz County Pleasure Point Community Design - 13.10.446(E) Decks/Walkways Allowed in Second Floor Setback: Decks or walkways are permitted in the second floor setback area on top of the first floor roof so long as the top of the hand railing does not exceed 15-feet in height from finished grade.

Coronado - 86.56.140 Roof decks and balconies above 14 feet.

A. A deck or balcony with a walking surface 14 feet or greater above "grade" shall be subject to the following requirements:

1. Design Review Commission approval shall be required;
2. Access to decks or balconies shall not be enclosed or covered unless the access is incorporated into the roof of the building, shall not be through a roof dormer, and shall not have the appearance of a separate structure;
3. No portion of decks or balconies shall be covered and shall be 100 percent permanently open;
4. No portion of decks or balconies or the top of structures or equipment placed on said decks or balconies (e.g., fireplaces and associated chimneys, spas, barbecues, storage cabinets, mechanical equipment, or similar) shall project beyond the daylight plane or exceed the allowable building height limit.