

City of Capitola

Planning Commission Meeting Agenda

Thursday, August 15, 2024 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Courtney Christiansen

Commissioners: Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

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

1. Roll Call and Pledge of Allegiance

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

2. Additions and Deletions to the Agenda

A. Additional Materials Item 5A - correspondence received (17 emails, 1 letter, and presentation slides)

3. Oral Communications

Please review the section How to Provide Comments to the Planning Commission for instructions. Oral Communications allows time for members of the public to address the Planning Commission on any Consent Item on tonight's agenda or on any topic within the jurisdiction of the City that is not on the Public Hearing section of the Agenda. 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. A maximum of 30 minutes is set aside for Oral Communications.

4. Planning Commission/Staff Comments

5. Public Hearings

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

A. Citywide Zoning Code Update

Project Description: Application #24-0026 for Amendments to Capitola Municipal Code Title 17: Zoning and Zoning Map. The proposed Zoning Code amendments will impact the development standards and regulations for properties citywide. The proposed Zoning Map amendments will alter the Residential Multifamily (RM) Zoning District. The Zoning Code and Zoning Map are part of the City's Local Coastal Program (LCP), and amendments require certification by the California Coastal Commission before taking effect in the Coastal Zone.

Recommended Action: Staff recommends the Planning Commission (1) provide feedback to staff on discussion items outlined in the staff report related to the draft Zoning Code amendments and draft Zoning Map Amendments; and (2) continue the discussion on the Zoning Code and Zoning Map amendments to the August 27, 2024, Special Planning Commission hearing.

6. Director's Report

7. Adjournment – The next regularly scheduled meeting of the Planning Commission is on September 5, 2024, at 6:00 PM.

How to View the Meeting

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

Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel: <https://www.youtube.com/@cityofcapitolacalifornia3172>

To Join Zoom Application or Call in to Zoom:

Meeting link: <https://us02web.zoom.us/j/84412302975?pwd=NmlrdGZRU2tnYXRjeSs5SIZweUIOQT09>

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

Meeting ID: 844 1230 2975

Meeting Passcode: 161805

How to Provide Comments to the Planning Commission

Members of the public may provide public comments to the Planning Commission in-person during the meeting. If you are unable to attend the meeting in person, please email your comments to planningcommission@ci.capitola.ca.us and they will be included as a part of the record for that meeting.

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

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 6 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org/meetings. 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.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envíe un correo electrónico a jgautho@ci.capitola.ca.us.

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

Westly, Austin

From: Karen Klimowski <kdklimowski@gmail.com>
Sent: Friday, August 9, 2024 5:44 PM
To: City Council
Subject: high density housing proposed changes

Hi,

I've read through most of the materials posted on the meeting website, what is the impact for parking on the proposed changes. I live at the intersection of Hill Street and Rosedale Street, parking is already a major problem. What are plans to address parking issues if more places are added?

Thank you,

Karen

Westly, Austin

From: terre thomas <terra12@cruzio.com>
Sent: Friday, August 9, 2024 10:24 AM
To: PLANNING COMMISSION
Cc: Sesanto, Sean
Subject: Zoning Map Updates August 15th 600 Park Avenue Zoning Change

August 9, 2024

Please distribute:

To the Planning Commission, Planning Staff, and Packet for August 15th.

Re: Notice of Proposed Change of Zone

From: Terre Thomas, 516 Park Ave,

Resident Abutting the 600 Park Ave Apartments

Public Comment: Regarding the 600 Park Ave. Apartment Parcel

Change in zoning designation

I would like to strongly request that you reconsider the proposed zoning change from 40 to RM-20. There is no other parcel being considered with this extreme change from RM-L (10 units per acre) to RM-40. This proposal would quadruple the number of allowable units, unlike any other property considered for a zoning change. That would change the number of units from approximately 80 to 270, in buildings equivalent to four stories high, with at least 2 cars per unit that must be provided for onsite. That is an unbelievable jump, considering there are 18 single family homes that border this property, unlike any other parcel being considered for a change.

The adjoining Single Family Residences, including ourselves, were just notified on the 7th by mail of this draconian change in zoning, and only one 8 ½ x 11 inch notice was recently posted at the entrance to said property. I might also say that according to the General Plan, Notices of Hearing for Zoning Map Amendments must be printed in type 1 ½ inches high. The single notice only has lettering less than ½ inch. Consequently, the City has inappropriately notified the public of this change of zoning, and that must be rectified wherever it occurred.

Once again, it is very important that you reconsider this density change to the 600 Park Ave Apartments from 40 units to 20 units. That would still double the number of units currently zoned for. And you must also take into consideration the current 80 existing units of low and moderate income renters that would be evicted as a result of any pending development, and add them to the number of needed additional units in those categories, because I don't believe that any development here would accommodate their replacement, as required.

Thank you.

Westly, Austin

From: terre thomas <terra12@cruzio.com>
Sent: Sunday, August 11, 2024 7:41 AM
To: PLANNING COMMISSION
Cc: Sesanto, Sean
Subject: Zoning Map Updates: August 15: 600 Park Ave. Zoning Change
Attachments: 600 Park Ave 2 email.docx

I am resending this letter in PDF format, with a few additions, in case the one previously sent was not usable. TT

August 9, 2024

To the Planning Commission and Planning Staff
Re: Notice of Proposed Change of Zone
From: Terre Thomas, 516 Park Ave,
Resident Abutting the 600 Park Ave Apartments

Public Comment: Regarding the 600 Park Ave. Apartment Parcel
Change in zoning designation

I would like to strongly request that you reconsider the proposed zoning change from RM-40 to RM-20. There is no other parcel being considered with this extreme change from RM-L (10 units per acre) to RM-40. This proposal would quadruple the number of allowable units, unlike any other property considered for a zoning change. That would change the number of units from approximately 80 to 270, in buildings equivalent to four stories high, with at least 2 cars per unit that must be provided for onsite. That is an unbelievable jump, considering there are 18 single family homes that border this property, unlike any other parcel being considered for a change, almost all back yards needing privacy.

The adjoining Single Family Residences, including ourselves, were just notified on the 7th by mail of this draconian change in zoning, and only one 8 ½ x 11 inch notice was recently posted at the entrance to said property. I might also say that according to the General Plan, Notices of Hearing for Zoning Map Amendments must be printed in type 1 ½ inches high. The single notice only has lettering less than ½ inch. Consequently, the City has inappropriately notified the public of this change of zoning, and that must be rectified wherever it occurred.

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evicted as a result of any pending development, and add them to the number of needed additional units in those categories, because I don't believe that any development here would accommodate their replacement, as required.

Thank you, Terre Thomas, former Planning Commissioner

Westly, Austin

From: Linda Barnes <liruhiba@gmail.com>
Sent: Friday, August 9, 2024 5:35 PM
To: PLANNING COMMISSION
Subject: plan for roads

Hi,

I could not find the plan for the roads that should accompany the housing increase planned for Capitola. Can you please put a link for roads/traffic/parking update on the website?

Thank you,

Linda Barnes
liruhiba@gmail.com

Westly, Austin

From: Dan <dbt33@hotmail.com>
Sent: Tuesday, August 13, 2024 8:28 AM
To: City Council
Subject: Potential Rezoning

To the Capitola City Council, Planning Commission and Planning staff.
From Daniel Benvenuti, 105 Wesley st
Resident abutting the 600 Park
Av apartments.

I strongly request that you reconsider the proposed zoning change from RM 40 to RM 20. The RM 40 zoning would quadruple the existing units which is not congruent to other proposed changes with the exception of one much smaller parcel. 600 park is virtually surrounded by abutting single family residence there is NO buffer zone . Only one access to Park av which you have already requested public input on how to best soften the impact of traffic on. At the present 80 units cars constantly park on Wesley and along Park av that residents occupy 600 park av. This would be dramatically increased. The addition of a four story complex would invade the now private setting of all a-budding residence . As a suggested alternative, perhaps you may consider the underutilized lower parking area next to City Hall. Currently this area stands vacant throughout the year only on a few rare occasion are cars parked there. This location would offer two access points and ample space for a two story complex which would not impact surrounding homes. I realize we have been mandated to consider these changes and just because planning suggests that this is possible DOES NOT make acceptable. Capitola has looked upon for years as a picturesque sea side village. Are you going to be the ones that will for ever change that?



To: Capitola Planning Commissioners
RE: Item #5A on August 15, 2024 Agenda
August 13, 2024

Dear Commissioners,

Thank you for the work on updating the zoning code. This is a crucial step toward addressing barriers to housing production and incentivizing the creation of more housing in Capitola over the next eight years. Santa Cruz YIMBY has the following feedback on the proposed zoning amendments, Item #5A on August 15, 2024 Agenda.

Missing Middle Housing (1.1) - 17.16.020.C

- The introduction of five new residential zones with a range of densities is commendable.
- We appreciate the inclusion of higher-density residential zones (30-40 du), which are well-suited for affordable housing.

Lot Consolidation (1.1) - 17.24.030.J and Table 17.24-4

- We acknowledge the increased height incentive to 40 feet in the MU-N zone.
- Regarding lot consolidation, there is a proposed increase in FAR to 1.5, while the 17.88 Community Benefits incentive already adopted provides an increase in FAR to 2.0. What is the approach to FAR incentives?

Alternative Housing Types (1.5) - Micro-units (17.24.030.K)

- The incentive for buildings with micro-units in the CC or CR zone is contingent upon the building being ¼ mile (walking distance) of a major transit stop or high quality corridor. Currently, Capitola lacks major transit stops or high quality corridors. While we are hopeful about METRO plans and AMBAG planning, this limitation could persist for years.
- The Proposed Zoning Code Amendment Table mentions allowing 0.5 parking spaces per microunits, but this standard doesn't appear in any parking standard tables.

Parking - Table 17.76-2

- See above for microunits not being included in the parking table 17.76-2
- If the standard is 0.5 spaces for a micro-unit (<350 sq ft), then units under 500 sq ft in multifamily buildings should also have a 0.5-space requirement.
- Noting previous discussions on bedroom vs. square footage, it is recommended that parking requirements be based on bedroom count, similar to the standards in the City of Santa Cruz, the County, and Watsonville. For example, 0.5 spaces for micro/studio, 1 space for 1-bedroom units, 1.5 spaces for 2-bedroom units, and 2 spaces for 3+ bedrooms.

Housing on Education and Religious Sites (1.8) - 17.96.220.D.2

- 17.96.220.D.2 outlines a “Ministerial Design Review” for *Housing on Religious Facilities Sites*, placing the Planning Commission in a ministerial review role. This is unneeded overhead and adds discretion to an objective process.
- “Ministerial action” is defined as a city decision on a planning permit that involves only fixed standards or objective measurements without requiring the exercise of discretion. This process should align with other examples of ministerial approvals, such as ADUs and SB9.

Design Review Process; Architecture and Site Review Committee - 17.120

- The edits to the Design Review Criteria are a step in the right direction, but there is room for further improvement. More subjectivity could be removed or referred to objective standards elsewhere.
- Elements like *Pedestrian Environment, Privacy, Safety, Massing and Scale, Articulation, and Visual Interest* are addressed more objectively in 17.82, which covers Objective Standards for Multifamily and Mixed-Use Residential Development.
- *Architectural Style* is completely subjective. *Materials* are highly subjective.

Referral of Applications to Planning Commission - 17.112.090

- This section allows the Community Development Director to refer any application involving a discretionary action to the Planning Commission for review and a final decision.
- All items before the Planning Commission should be part of a standard process or an appeal.
- It is suggested that this section be removed to prevent unnecessary referrals.

Thank you for the opportunity to comment. Santa Cruz YIMBY supports sustainable growth, including along transportation corridors and activity centers and a commitment to lower Vehicle Miles Traveled by housing people near services and jobs.

Sincerely,
 Elizabeth Madrigal
 Lola Quiroga
 Janine Roeth
Leads, Santa Cruz YIMBY

 Santa Cruz YIMBY advocates for abundant housing at all levels of affordability to meet the needs of a growing population in Santa Cruz County.

Westly, Austin

From: Santa Cruz YIMBY <santacruzylimby@gmail.com>
Sent: Tuesday, August 13, 2024 5:00 PM
To: PLANNING COMMISSION
Cc: Herlihy, Katie (kherlihy@ci.capitola.ca.us)
Subject: [PDF] Santa Cruz YIMBY input on Proposed Zoning Amendments, Item #5A on August 15th Agenda
Attachments: Santa Cruz YIMBY Input on Capitola Zoning Amendments - Planning Commission 8_15_24.pdf

Hello Planning Commissioners,

Please see below and attached our input on the Proposed Zoning Amendments on Item #5A on your August 15th Agenda.

Sincerely,
 Elizabeth Madrigal
 Lola Quiroga
 Janine Roeth
 Leads, Santa Cruz YIMBY

 Thank you for the work on updating the zoning code. This is a crucial step toward addressing barriers to housing production and incentivizing the creation of more housing in Capitola over the next eight years. Santa Cruz YIMBY has the following feedback on the proposed zoning amendments, Item #5A on August 15, 2024 Agenda.

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- Regarding lot consolidation, there is a proposed increase in FAR to 1.5, while the 17.88 Community Benefits incentive already adopted provides an increase in FAR to 2.0. What is the approach to FAR incentives?

Alternative Housing Types (1.5) - Micro-units (17.24.030.K)

- The incentive for buildings with micro-units in the CC or CR zone is contingent upon the building being 1/4 mile (walking distance) of a major transit stop or high quality corridor. Currently, Capitola lacks major transit stops or high quality corridors. While we are hopeful about METRO plans and AMBAG planning, this limitation could persist for years.

- The Proposed Zoning Code Amendment Table mentions allowing 0.5 parking spaces per microunits, but this standard doesn't appear in any parking standard tables.

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Thank you for the opportunity to comment. Santa Cruz YIMBY supports sustainable growth, including along transportation corridors and activity centers and a commitment to lower Vehicle Miles Traveled by housing people near services and jobs.

Westly, Austin

From: Marlane Tinsley <marlane@studio528inc.com>
Sent: Tuesday, August 13, 2024 5:31 PM
To: PLANNING COMMISSION
Subject: Questions from Pearson Court Homeowners Association

August 13, 2022

To the City of Capitola Planning Commission from the Pearson Court HOA:

On any given day, driving down 42nd Avenue between Clares and Capitola Road requires an improvised dance of bob and weave, give and take, and on-the-fly calculation of inches to avoid lopping off the side mirror of an on-coming vehicle, or car parked on either side of the street. 42nd Street acts as guest and overflow parking for the several RM zoned properties in the area and probably for some single-family residences as well. Cars are parked all along both sides of 42nd Street from Clares to Grace and for half a block past Grace heading toward Capitola Road, reducing it to a lane and a half at best, or where work trucks or vans are parked, squeezing it down to one lane.

Given this daily reality, it is hard to imagine our area's infrastructure being able to support the proposed increased housing density.

As we have pondered the proposed High-Density Rezoning of our neighborhood, we as a Homeowner's Association question why the City plans to accommodate such growth in an already impacted area.

One of our questions is, with acres of unused parking at the Capitola Mall and other under-used strip malls along 41st Avenue, wider streets with traffic lights, and empty retail space all around, why focus on increased housing density between Clares and Capitola Road? Why not rezone the underutilized areas on 41st for high-density housing?

Our other concern is that it is unclear from your documentation how you plan to accommodate the added parking and traffic needs in the areas you've targeted for rezoning, what is your plan?

As a Homeowners Association of ten single-family homes right in the middle of the area targeted for rezoning, we agree that your proposed rezoning of our area is unsustainable as proposed, and we would greatly appreciate you addressing these concerns at the meeting on August 15th.

On behalf of The Pearson Court Home Owner's Association,

Marlane Tinsley, President

Homeowners:

- Mike and Marlane Tinsley
- Guillermo Alvarez
- Laura and Patrick Molanchon
- Don and Linda Penner
- Jonathan Madara and Thuan-Hau Trinh
- David and Agnes Berthelot

Bob and Cheryl Moon
Negar Rasti
Debbie Streeter

Item 2 A.

*One of our owners has chosen to abstain due to a conflict of interest

Westly, Austin

From: Jefferson Lee <constructionjeffersonlee77@gmail.com>
Sent: Tuesday, August 13, 2024 7:40 PM
To: PLANNING COMMISSION
Subject: 8/15/24 planning commission meeting - rezoning

Dear Planning Commission,

We are very concerned and strongly oppose the rezoning of the Park Ave Apts. property, and the subsequent massive multifamily apartment project likely to follow.

Increased densities, larger, taller buildings, reduced setbacks, more cars / traffic, less parking do not fit the neighborhood. It's already crowded and Park Ave. is already busy with speeding cars. Cars from the existing apartments already Park on Wesley St. daily.

.
A tall building or buildings would likely block the afternoon sun.

We urge you to maintain the existing zoning and neighborhood character as is.

Please do not allow a large multifamily housing development in our backyard.

Sincerely,

Jeff & Kirsten Lee
117 Wesley St, Capitola

Westly, Austin

From: REB 95 <garylemons@sbcglobal.net>
Sent: Tuesday, August 13, 2024 6:18 PM
To: PLANNING COMMISSION
Subject: Input regarding proposed Zoning Changes

Greetings. Thank you for the opportunity to share my thoughts and concerns regarding the proposed zoning changes by the City of Capitola.

For the record, my wife and I previously owned a motor home which we utilized numerous times at New Brighton State Park. After falling in love with Capitola and the area, we purchased our duplex at 927 Balboa Ave. in November, 2008. We moved in full time January, 2019 and never intend to leave. Why leave paradise! Indeed, the license plate bracket on one of our vehicles states "Another Day in Paradise ... Capitola by the Sea."

In 2017- 2018, we remodeled our duplex which was necessitated, in part, after one of the eucalyptus trees owned by the City of Capitola behind our property fell onto our home during a wind storm.

Again, for the record, my wife and I live in the "A" side of the duplex and rent out the "B" side to a wonderful tenant. We like our property the way it is and have no need or intention of adding on ... not even an ADU. Thus, we do not support the changes proposed for the "Balboa Duplexes" in your proposal! Indeed, the changes proposed for our immediate area, if enacted, would create congestion in many respects, especially with traffic and parking. Any significant construction would certainly affect the peaceful environment of the area.

We recognize that the City of Capitola has a need to comply with requirements mandated by the State. No doubt, you have a great challenge to meet the requirements. However, it seems like there are greater opportunities elsewhere. Since the State is apparently behind this, why not have the State put some skin in the game? Perhaps there is State owned property, such as along McGregor near the Skate Park, that could be annexed to the City and where multi-family complexes could be built with minimal effect on existing communities. Perhaps there are other options as well???

Again, thank you for the opportunity to provide some input.

Regards,

Gary & Carolyn Lemons
927A Balboa Ave.
Capitola, CA 95010

garylemons@sbcglobal.net
(916)837-9779

Sent from my iPhone

Westly, Austin

From: Dan <dbt33@hotmail.com>
Sent: Wednesday, August 14, 2024 2:05 PM
To: PLANNING COMMISSION
Subject: Rezoning 600Park Av apartments

Commission members

I am Daniel Benvenuti my home is at 105 Wesley Street for the past 40 years. The 600 Park Ave. apartments are directly behind my home. Since becoming aware 11 days ago. of the rezoning of multiple areas throughout Capitola, I have been very busy trying to educate myself on this issue. I hope the commission realizes that the decisions before them will have an everlasting impact on the citizens of our community. That being said, I would hope that more time can be made available so that the public can educate themselves and better express their concerns. These are my concerns. I received information that the property was on the market several months ago. The listing included a possible representation of a new development. Since then, the property has sold to a large developer . According to your draft zoning code amendment approximately 300 pages under chapter 17.04 proposed affect section item number one states preserve and enhance Capitola small town feel coastal Village charm number two ensure that all development exhibits high-quality design that supports a unique sense of place, and finally number three protect and enhance the quality of life and residential neighborhoods. The conceptual renditions, which I have included, obviously do not adhere to Purpose and effect section. In January 14, 2010, the coastal commission held the hearing and one of the topics was a public hearing and action on request by the city of Capitola to amend the LCP to add an affordable housing overlay district design to allow increased density of up to 20 units per acre for projects with a minimum of 50% affordable units to apply to the new district to a site at 600 Park Ave. in Capitola Santa Cruz, California. It is my recollection that at that time we as residence were assured that if such increase was allowed that there would never be more than two-story units on the property property. This is not the case, presently with the new representation. Obviously, I am strongly opposed to changing the existing RM 10 to RM 40 zoning, not only for the reasons outlined above, but in addition this property currently offers some of the last low income available housing in Capitola this would all change. Secondly, there is already concerned over the traffic conditions on Park Avenue this last year you asked for public input for potential softening of traffic on Park Avenue based on four proposals, I personally responded. All four proposals were not adequate enforcement of the existing 25 mile an hour speed limit would be much more affective and possibly making Park Avenue one way in and Monterey Avenue one way out of Capitola. I never received a response and obviously now by the recent changes on Bay Avenue at the Nob Hill shopping center that some of these proposals is being tested. Third, Park Avenue property presently only has one entrance. This would be a major safety issue if an immediate evacuation had to be made. If a second access would be mandated it would most likely be at the cul-de-sac at the end Wesley Street. The impact potentially an additional 540 vehicles would pose an even greater unsafe condition in our neighborhood. Forth, Parking would obviously be an additional issue presently with 80 unit occupancy and multiple parking at the site vehicles continue to park along Park Avenue and Wesley Street. The the additional impact of 540 vehicles would only exasperate this problem. Fifth I am sure you realize that the property lies in a natural drainage. Most likely parking would be below ground level. The potential for flooding would exist. Finally potential solutions might be to develop the lower parking lot where a Mobil home community once existed . The lot has never been utilized to any extent it now serves as storage and parking for Capitola employees perhaps on a very few occasions visitors utilize the lot. It offers two entrances. A two-story development could exist with little to no impact on surrounding properties. The

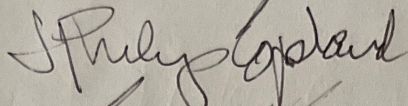
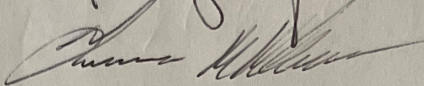
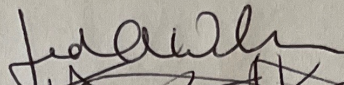

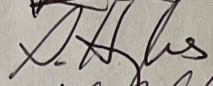
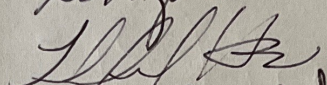
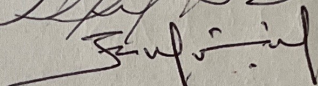
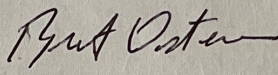
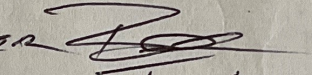
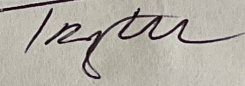
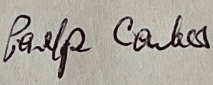
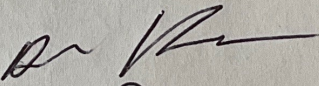
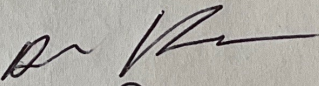
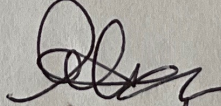
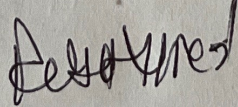
addition of ADU is very popular if the city would consider incentives to further promote these dwellings this would help meet the demand. Enclosed I am sure given time with public input there are many more potential solutions to the housing mandate. But time, education and communication must take place I urge the commission to reconsider the unprecedented increase to the zoning of 600 Park Ave. I have included a petition signed by the affected residents. This proposed increase is in direct opposition to purpose and effect section chapter 17.04 items one, two and three. My hope is that we can all work together to find a solution to this challenge. Sincerely Daniel Benvenuti.

Subject: Rezoning 600 Park av apartments

6/13/2024
2 of 2
APT. ~~apart~~ complex

We the undersigned residence /owners adjacent to 600 Park Ave. oppose the proposed rezoning from RM 10 to RM 40.

Sent from my iPhone

- 20) Philip Lopland  137 Wesley St.
- 21) TERENCE MCKENNA  121 WESLEY ST.
- 22) JEDIDIAH A WILSON  109 WESLEY ST.
- 23) KELLY DELIACQUA  114 WESLEY ST.
- 24) Sandra Hughes  118 Wesley St.
- 25) Tiffany HSU  702 Orchid Ave
- 26) RAMON VILLARREAL  706 ORCHID AVE
- 27) Brent Ostermann  526 McCormick Ct.
- 28) BRIAN WINTERHARDEN  530 McCormick Ct.
- 29) TRACY WINTERHARDEN  530 McCormick Ct.
- 30) PENELOPE PARKES  523 McCormick Ct.
- 31) Patsy Ljungquist  519 McCormick Ct Cap.
- 32) DAN KAMALANI  518 McCormick Ct Cap
- 33) STAN & CAROL WILSON  511 McCormick Ct, Cap.
- 34) Robert Thrift  522 McCormick Ct, Cap
- 35)
- 36)
- 37)



The New 600 Park Ave Apartment Complex?

Subject: Rezoning 600 Park av apartments

8/13/2024
10FZ

We the undersigned residence /owners adjacent to 600 Park Ave. ~~apart~~ APT. complex
oppose the proposed rezoning from RM 10 to RM 40.

Sent from my iPhone

- | | | |
|-----------------------|--------------------|----------------|
| 1) MARY CHRISTENSEN | <i>[Signature]</i> | 149 Wesley St |
| 2) Kara Maris | <i>[Signature]</i> | 129 Wesley St |
| 3) Karl Sum Lee | <i>[Signature]</i> | 106 Wesley |
| 4) DANIEL BENVENUTI | <i>[Signature]</i> | 105 WESLEY |
| 5) JO ANNE S YOUNG | <i>[Signature]</i> | 101 Wesley |
| 6) CHARLES THOMAS | <i>[Signature]</i> | 516 Park Ave |
| 7) Raina Devine | <i>[Signature]</i> | 514 PARK AVE. |
| 8) BARBARA BOSSAK | <i>[Signature]</i> | 102 WESLEY ST. |
| 9) ROBERT BERG | <i>[Signature]</i> | 110 Wesley St |
| 10) PHILIP DE MONET | <i>[Signature]</i> | 122 WESLEY ST |
| 11) Grace Olin | <i>[Signature]</i> | 130 Wesley St. |
| 12) Debbie Egense | <i>[Signature]</i> | 134 Wesley St |
| 13) Riley Popovich | <i>[Signature]</i> | 150 Wesley St |
| 14) Mike Breaker | <i>[Signature]</i> | 718 orchid Av |
| 15) Jeff Lee | <i>[Signature]</i> | 117 Wesley St. |
| 16) Mary Margulies | <i>[Signature]</i> | 125 Wesley St |
| 17) Michael Margulies | <i>[Signature]</i> | 125 Wesley St |
| 18) Carly Vaughn | <i>[Signature]</i> | 145 Wesley St |
| 19) MAR ETCHEVERRY | <i>[Signature]</i> | 710 ORCHID AVE |

The New 600 Park Ave Apartment Complex?

City of Capitola Planning Commission
420 Capitola Avenue
Capitola, CA 95010

Dear Capitola Planning Commissioners:

We recently received notice of the proposed zoning changes for 46th Avenue, and urge you not to approve such a large zoning density increase for the Capitola Gardens Apartments (ID 6), Villas of Capitola Condominiums (ID 4), and the Capitola Towers Apartments (ID 3) properties.

Establishing new zoning **standards** that double or even triple the dwelling units per acre is a great concern to my family and me for several reasons:

- Setting high maximums for future building projects, invites big development and inevitably takes away the Planning Commission’s ability to regulate and negotiate reasonable zoning densities for Capitola’s neighborhoods.
- 46th Avenue is one of the most densely populated areas in Capitola, containing one condominium complex and five apartment complexes that total over 300 units. Doubling or tripling this number is not ideal, especially since off-street parking has already reached its limits. At the same time, can the City’s infrastructure and services (e.g. roadways, water, fire, police, etc.) support such an increase in units per acre and people?
See table below for potential increase calculations.

Northwest Area 46 th Avenue Location	Approx. Current Units	Current Zoning Density	Proposed Zoning Density	Approx. Max Units Proposed	Additional Info.
Capitola Gardens Apartments	78	10 du/ac*	30 du/ac	195	Approx. 117 additional two-bedroom units @ 4-person maximum= 468 people
Villas of Capitola	172	15 du/ac**	30 du/ac	303	Approx. 131 additional units allowed
Capitola Towers	50	15 du/ac ^	30 du/ac	83	Approx. 33 additional units allowed
Totals	300			581	

**Actual is 12 du/ac, per Planning Commission (PC) reporting. **Actual is 17 du/ac, per PC reporting. ^Actual is 18 du/ac, per PC reporting.*

In addition, creating three-story, market-rate apartments that rent for \$4,500 monthly will not solve the housing issue and will not necessarily guarantee that the City meets it’s state-mandated building quota. So, why not set more reasonable standards for Capitola’s existing high-density neighborhoods?

In all, in order to preserve and protect our neighborhood, we strongly urge you to modify the proposed zoning densities and three-story height allowances for the above-mentioned properties located on 46th Avenue.

Thank you for your consideration.

Sincerely,



Tim, Pam & Jennifer Collins
1830 46th Avenue, Capitola, CA 95010

Westly, Austin

From: Elisabeth Silverstein <elisabethsilverstein@gmail.com>
Sent: Thursday, August 15, 2024 6:31 AM
To: PLANNING COMMISSION
Subject: Against Proposed Zoning Change

Dear Members of the Capitola Planning Commission,

I am writing to express my concerns regarding the proposed rezoning amendments under consideration for our Residential Multifamily (RM) Subzones. As a resident deeply invested in the well-being and character of our community, I find that these proposed changes could adversely affect both our quality of life and the cohesive nature of our neighborhood.

Preservation of Community Agreements and Character: We understand from prior engagements, specifically during the 6th Cycle Housing Element discussions, an agreement was reached to around current building height. The proposed changes appear to violate these earlier agreements, fundamentally altering the character of our neighborhood, which prides itself on its unique aesthetic and community feel.

Density and Infrastructure Concerns: Our area is already more densely populated compared to other regions of Capitola. Increasing the density further under the new zoning proposals will strain our local infrastructure significantly, potentially leading to overcrowded living conditions and diminished quality of life for residents.

Traffic Safety and Congestion: The safety issues and increased traffic speeds on Park Avenue are already points of concern for us. Additional residential units could lead to higher traffic volume, exacerbating these problems and potentially compromising pedestrian safety and the general tranquility of our area.

Need for Thorough Community Engagement: While we appreciate the efforts to inform and involve residents, many feel that the outreach has not fully taken into account the breadth of concerns held by existing residents. A more thorough engagement process would ensure that all voices are heard and considered carefully before moving forward with such impactful changes.

I urge the Planning Commission to reconsider these rezoning plans, keeping in mind the long-term impacts on our community's character and safety. We hope for a resolution that respects the voices and concerns of Capitola's residents.

Thank you for considering my views. I look forward to your response and to seeing a plan that aligns more closely with the community's needs and expectations.

Sincerely,

Lizzy Toth
 113 Wesley St, Capitola CA 95010
 4356403438

Westly, Austin

From: Sesanto, Sean
Sent: Wednesday, August 14, 2024 6:10 PM
To: Herlihy, Katie (kherlihy@ci.capitola.ca.us)
Subject: Draft Zoning Map
Attachments: Draft Zoning Map - PC Meeting 08.15.2024.pdf

Good evening, Commissioners,

Earlier today our GIS consultant provided a draft zoning map showing RM parcels with the new proposed subzones. It does not include ID number notation, but RM regions are identified with red outline. The map will be published tomorrow morning with the packet.

Regards,



Sean Sesanto | Associate Planner
City of Capitola
831.475.7300
Planning Counter Hours: 1 p.m. - 4 p.m., Monday - Friday

Westly, Austin

From: Carl Olin <olinpacific58@gmail.com>
Sent: Wednesday, August 14, 2024 5:31 PM
To: PLANNING COMMISSION
Subject: Zoning Code/Map Comments - Northeast Area

Dear City of Capitola.

Please enter the following feedback to the Meeting Agenda if at all possible in regards to the proposed changes to the Northeast Area.

I am against increased housing for the Park Avenue Apartments - any of the complexes - because of the current congestion, speeding and lawlessness without enough police presence (it seems), and concerns about infrastructure such as water and electricity etc.

Increases in housing density I understand, but the proposal as it stands seems too drastic.

Maybe we - as a City - need to take some more time to think this through?

1. I am a long-time resident of Cliffwood Heights. 30 years.
2. I live on Wesley Street.
3. Park Avenue seems like a race-track most days - especially in the mornings and between 4-6:00 pm.
4. Increased housing in the Park Avenue Apartments would just exacerbate this ongoing problem.
5. The apartments as they are now, for whatever reason cannot hold the amount of cars associated with the apartment complex. Cars regularly park up and down Wesley and left for days at a time. I realize public parking on a public street is not a violation, but I wanted you to know this is how the residents feel.
6. I am concerned about an adequate water supply,
7. I understand the pressure of all California cities to increase housing from Sacramento but I wanted you to hear these concerns.
8. Why not build an apartment complex at the 41st Avenue Mall like they did at Santana Row in San Jose? Retail on the bottom level and housing above?

Again, I realize my voice is small and the train has most likely already left the station but I wanted to express my thoughts.

Thank you,

Carl Olin
 130 Wesley Street
 Capitola, CA
 95010

Westly, Austin

From: Sandra Ewart <sandra.ewart32@gmail.com>
Sent: Wednesday, August 14, 2024 8:01 PM
To: PLANNING COMMISSION
Subject: Capitola Zoning Map Question

Hi,
My name is Sandra Ashley and I am a 41 year resident. I am unable to attend the Aug. 15th meeting and have a question about the topics not related to housing that may be discussed. Which include historic preservation I am referring to the property at 911 Capitola Ave. Is this included in the rezoning? From the map It does not appear to be included and I have not seen a posting on the property. Are there any changes proposed to the property at 911 Capitola Ave. in any way?

I appreciate your time and a response,

Thank you,
Sandra Ashley

Westly, Austin

From: Sesanto, Sean
Sent: Thursday, August 15, 2024 10:41 AM
To: Herlihy, Katie (kherlihy@ci.capitola.ca.us)
Subject: FW: Capitola Zoning Map Question

Commissioners,

Please see the response below.

Sean Sesanto | Associate Planner
 City of Capitola
 831.475.7300
Planning Counter Hours: 1 p.m. - 4 p.m., Monday - Friday

From: Sesanto, Sean
Sent: Thursday, August 15, 2024 10:38 AM
To: 'Sandra Ewart' <sandra.ewart32@gmail.com>
Subject: RE: Capitola Zoning Map Question

Good morning, Sandra,

Tonight's discussion is not to evaluate the historical significance of any site or structure, nor to lessen protection of historic resources in general. Amendments to the Historic Preservation chapter are focused on fees and clarifying procedure. You can view proposed code amendments to the Historic Preservation through the link below, beginning on page 191:

https://www.cityofcapitola.org/sites/default/files/fileattachments/community_development/page/9281/draft_capitola_zoning_code_amendments_-_08.06.24.pdf

Regarding proposed changes of zone: the city is considering a restructure of multi-family zoned ('RM') properties. The 911 Capitola Avenue parcels are zoned MU-N (Mixed Use Neighborhood) and are not proposed for a change of zone.

Additional information on the changes to the zoning map and zoning code can be found on our website here:

<https://www.cityofcapitola.org/communitydevelopment/page/public-review-drafts-zoning-code-updates>

Regards,

Sean Sesanto | Associate Planner
 City of Capitola
 831.475.7300
Planning Counter Hours: 1 p.m. - 4 p.m., Monday - Friday

From: Sandra Ewart <sandra.ewart32@gmail.com>
Sent: Wednesday, August 14, 2024 8:01 PM
To: PLANNING COMMISSION <planningcommission@ci.capitola.ca.us>
Subject: Capitola Zoning Map Question

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I appreciate your time and a response,

Thank you,
Sandra Ashley

City Of Capitola Zoning Code Amendments



Planning Commission Work Session
August 15, 2024

Draft Zoning Code Amendments

Meeting Focus:

1. Multifamily Residential (RM) zoning districts
2. Other new amendments
 - Housing on religious sites
 - Retail cannabis
 - Office uses in C zones
 - “Good standing” provision

Updated Recommendation

2 Options:

1. Proceed with all Zoning Code Amendments for 2024 adoption, include RM zoning amendment.

OR

2. Separate RM zone changes from the 2024 zoning code amendments
 - Take public comment on RM tonight
 - Update RM zoning to reflect Planning Commission preliminary direction
 - New public notice for second work session after the 2024 zoning update adoption. (2025)

Meeting Purpose

Receive public comment and Planning Commission direction on draft Zoning Code Amendments

How did we get here?

- **General Plan** – Long term planning document for future of the City
 - Housing Element is one of eight elements within General Plan
 - State law requires the housing element “plan” for future housing.
- **Zoning Code** implements General Plan policies with development regulations
- General Plan Housing Element Update requires Zoning Code amendments to comply with state law

Zoning Adoption Process

1. Planning Commission Study Sessions
 - Preliminary input
 - Draft amendment review
2. Planning Commission Hearings
3. City Council Hearings



Timing

When are the Zoning Code Amendment due for Housing Element compliance?

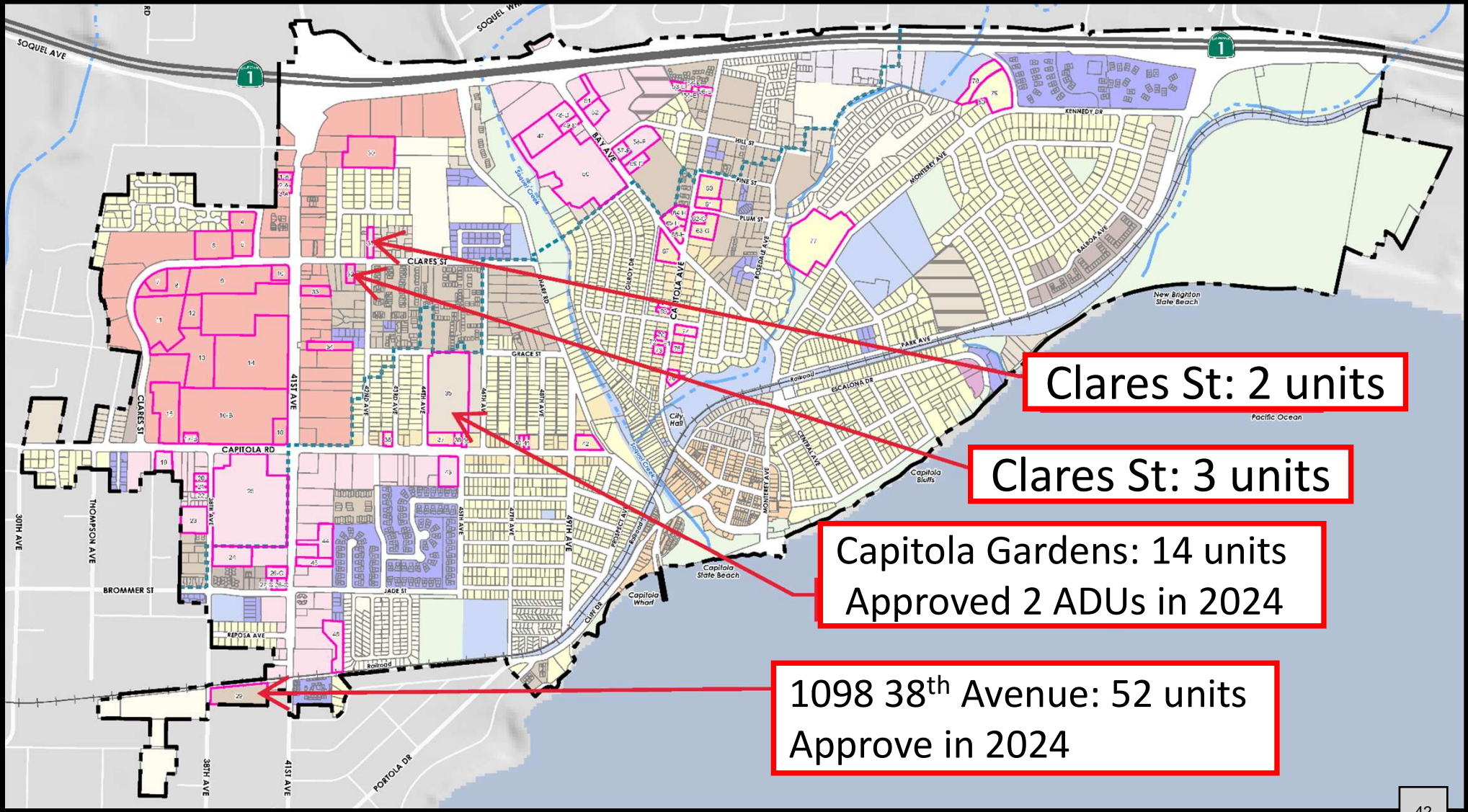
- December 2024 - No net loss, Mall Incentives, Density Bonus, Shelters, Replacement Housing, Transitional/Supportive Housing, Farm Housing to be consistent with state law.
- December 2025 – RM Zoning and 26 additional Housing Element required Zoning Code Updates.

RM Zoning Districts and Housing Element

Housing Element Program 1.6:

- Assess the maximum densities allowed in the RM zones and determine if higher densities can help facilitate multi-family development
- Review and revise, as appropriate, requirements such as the minimum unit size, setbacks, parking requirements, and height restrictions to ensure they are necessary and pertinent and do not pose constraints on the development of housing

RM Sites Identified in Housing Element



1098 38th Avenue



52 Unit 100% Affordable – Approved in 2024

Calculating Density

Residential density is expressed as number of dwelling units per acre (du/ac)

$\text{du/acre} = \text{number of units} \div \text{lot area}$

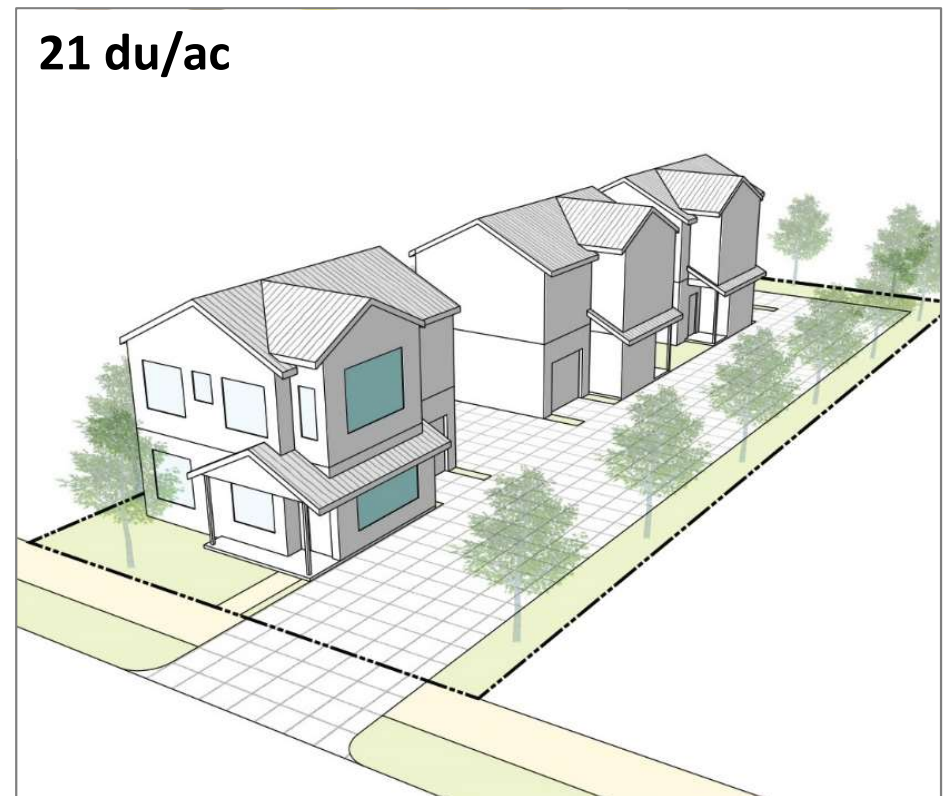
Example:

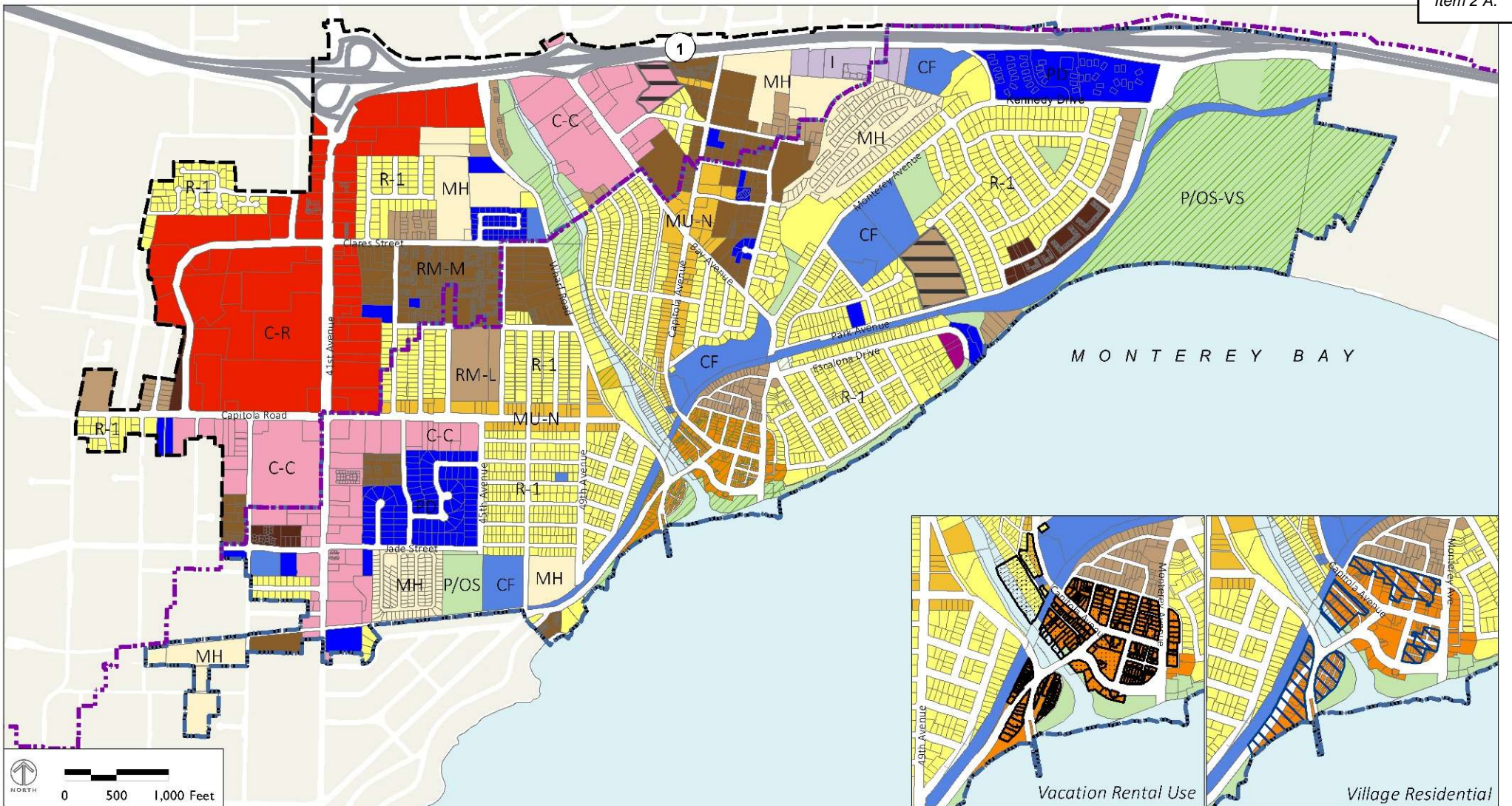
6,000 sq. ft. lot (0.14 acres)

3 units on lot

Density = $3 \div 0.14$

Density = 21 du/ac





Residential Multifamily (RM) Subzones

- RM-L - Multi-Family Residential, Low Density
- RM-M - Multi-Family Residential, Medium Density
- RM-H - Multi-Family Residential, High Density

RM Subzone	Maximum Density
RM-L	10 du/ac
RM-M	15 du/ac
RM-H	20 du/ac

Existing RM Development Standards

	RM-L	RM-M	RM-H
Lot Area per Unit (min) Density	4,400 sq. ft. 10 du/ac	2,900 sq. ft. 15 du/ac	2,200 sq. ft. 20 du/ac
Height (max)	30 ft.	30 ft.	35 ft.
Building Coverage (max)	40%	40%	40%
Setbacks (min)			
Front	15 ft.	15 ft.	15 ft.
Interior Side	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]
Street Side	10 ft.	10 ft.	10 ft.
Rear	15% of lot depth	15% of lot depth	15% of lot depth

Existing Non-Conforming Multifamily Examples

850 & 870 Park Ave
Density: 32.6 du/ac
Zone: RM-H 20 du/ac
Units: 108



**919 Capitola Ave
Capitola Mansion**

Density: 34.4 du/ac

Zone: RM-M 15 du/ac

Units: 66



501 Plum St

Density: 37.6 du/ac

Zone: RM-M 15 du/ac max

Units: 51

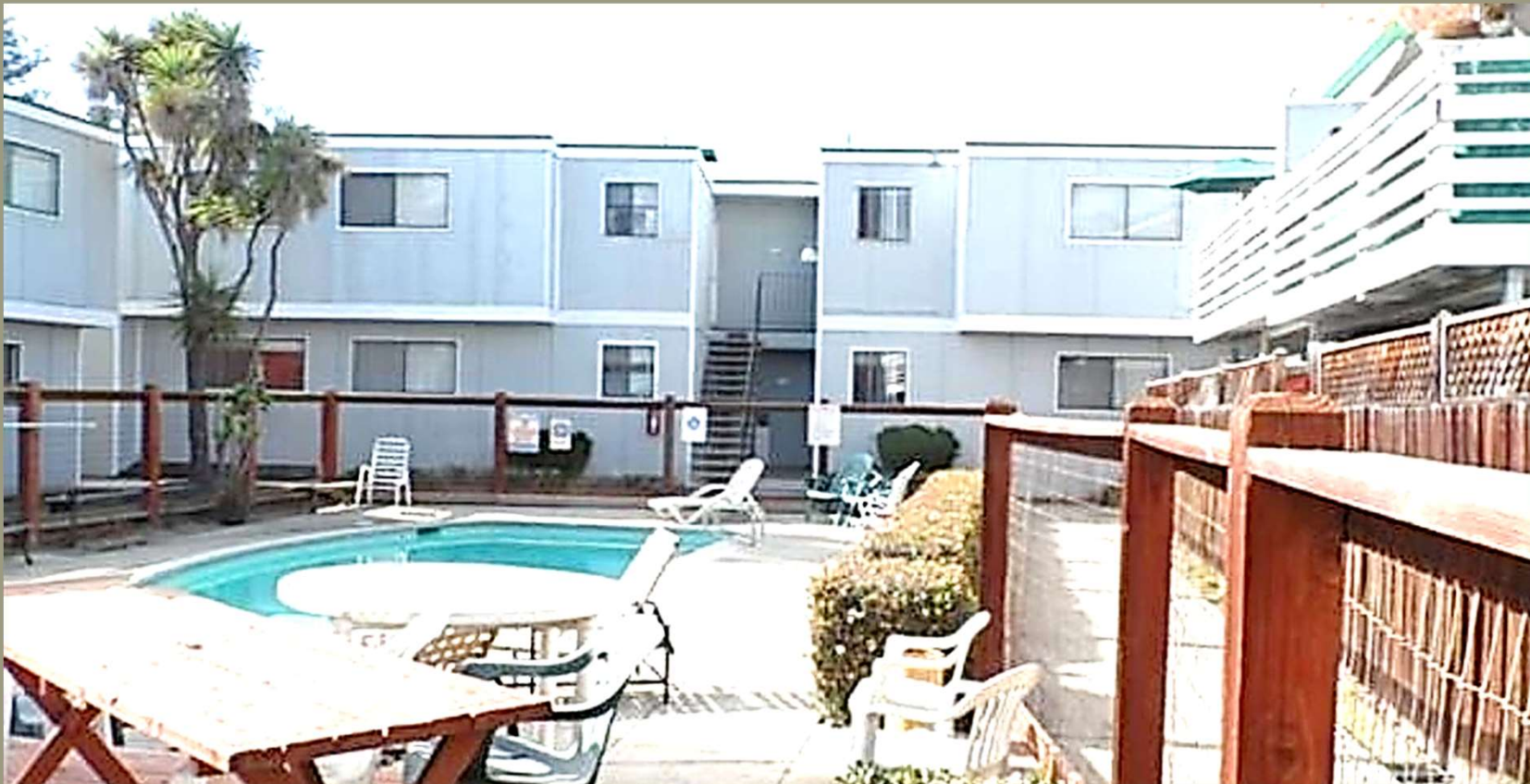


1945 42nd Ave

Density: 38.8 du/ac

Zone: RM-M 15 du/ac max

Units: 36



Planning Commission Feedback

May 2, 2024 Study Session:

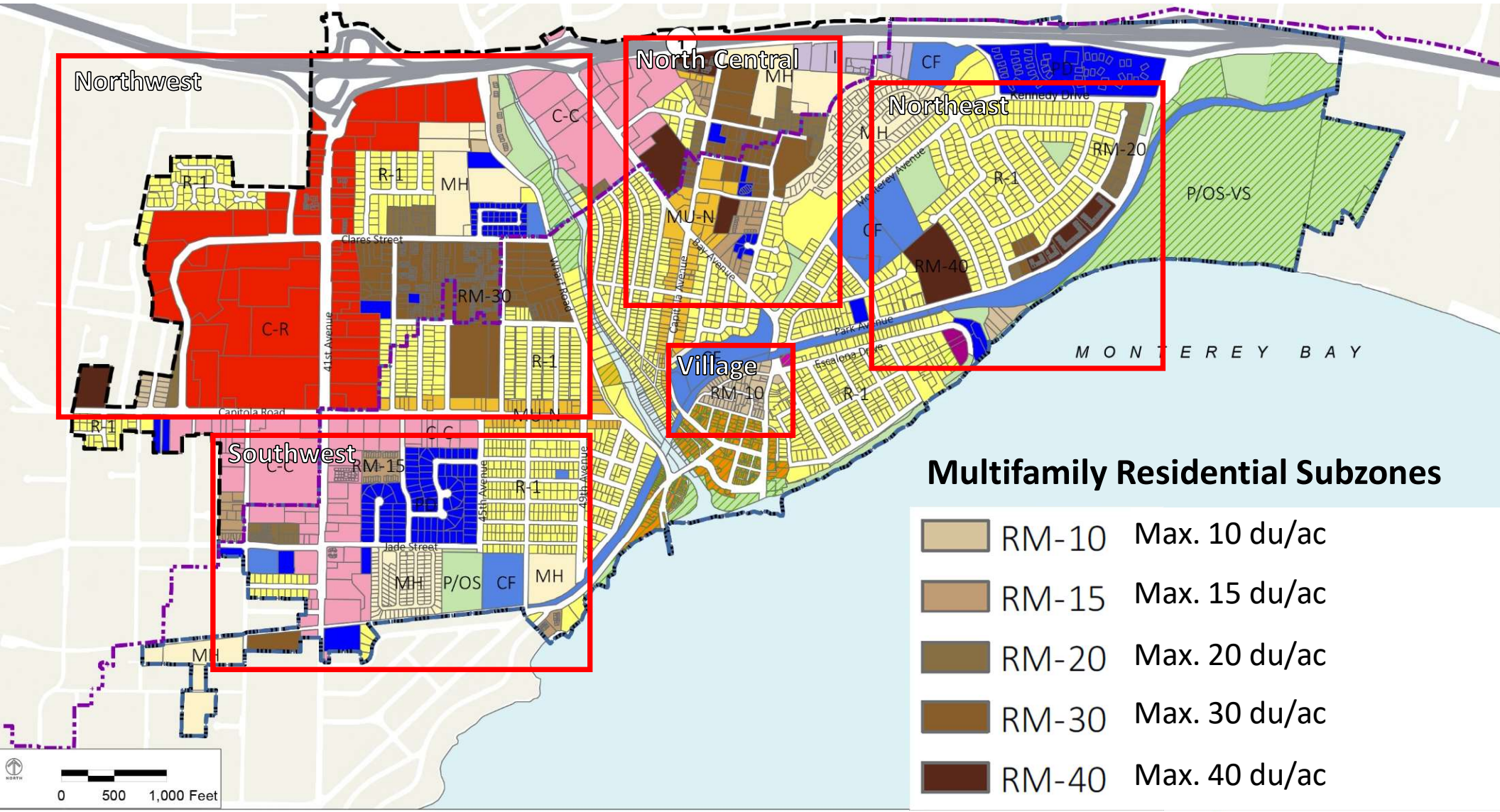
- Discussed options for RM amendments
- Requested staff consider:
 - Address existing nonconforming multifamily
 - Existing land uses surrounding RM properties
 - Environmental constraints

Planning Commission Feedback

June 6, 2024 Study Session:

- Review of proposed densities on RM properties, ranging from 10-40 du/ac
- Bring existing non-conforming into compliance
- Planning Commission requested:
 - Draft zoning map and text amendments for public input and further Planning Commission review
 - Enhanced public noticing

Proposed Zoning Map Amendments

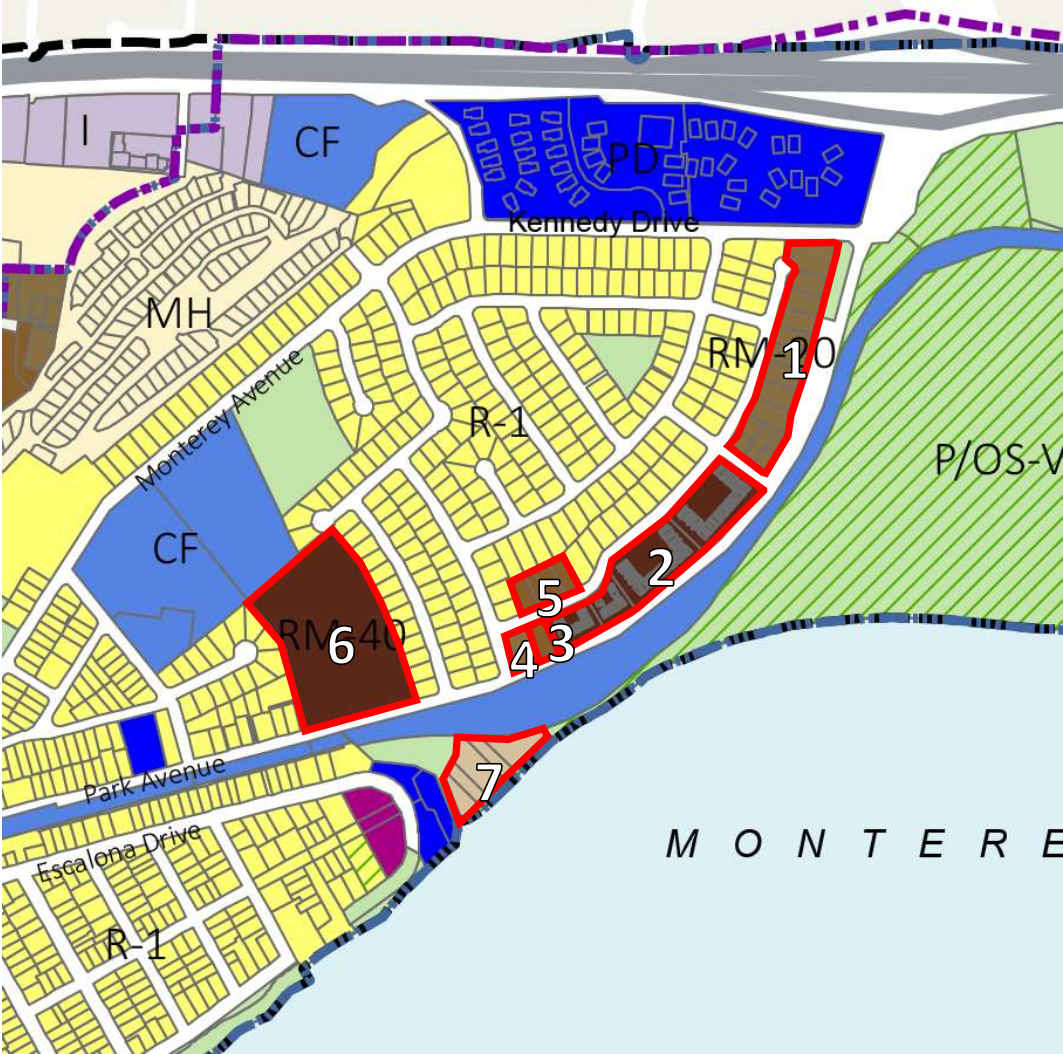


Proposed Zoning Map Amendments

-  = Increased to allowed density proposed
-  = No increase in allowed density propose

[1] = legalizes existing nonconforming development density

Northeast Area



ID	Existing	Built	Proposed
1	RM-L	7 du/ac	RM-20
2	RM-H	35 du/ac	RM-40 [1]
3	RM-H	25 du/ac	RM-30 [1]
4	RM-H	6 du/ac	RM-20
5	RM-H	23 du/ac	RM-30 [1]
6	RM-L	15 du/ac	RM-40
7	RM-L	17 du/ac	RM-10

= increased allowed density

= no increase in allowed density

[1] = legalizes existing development density

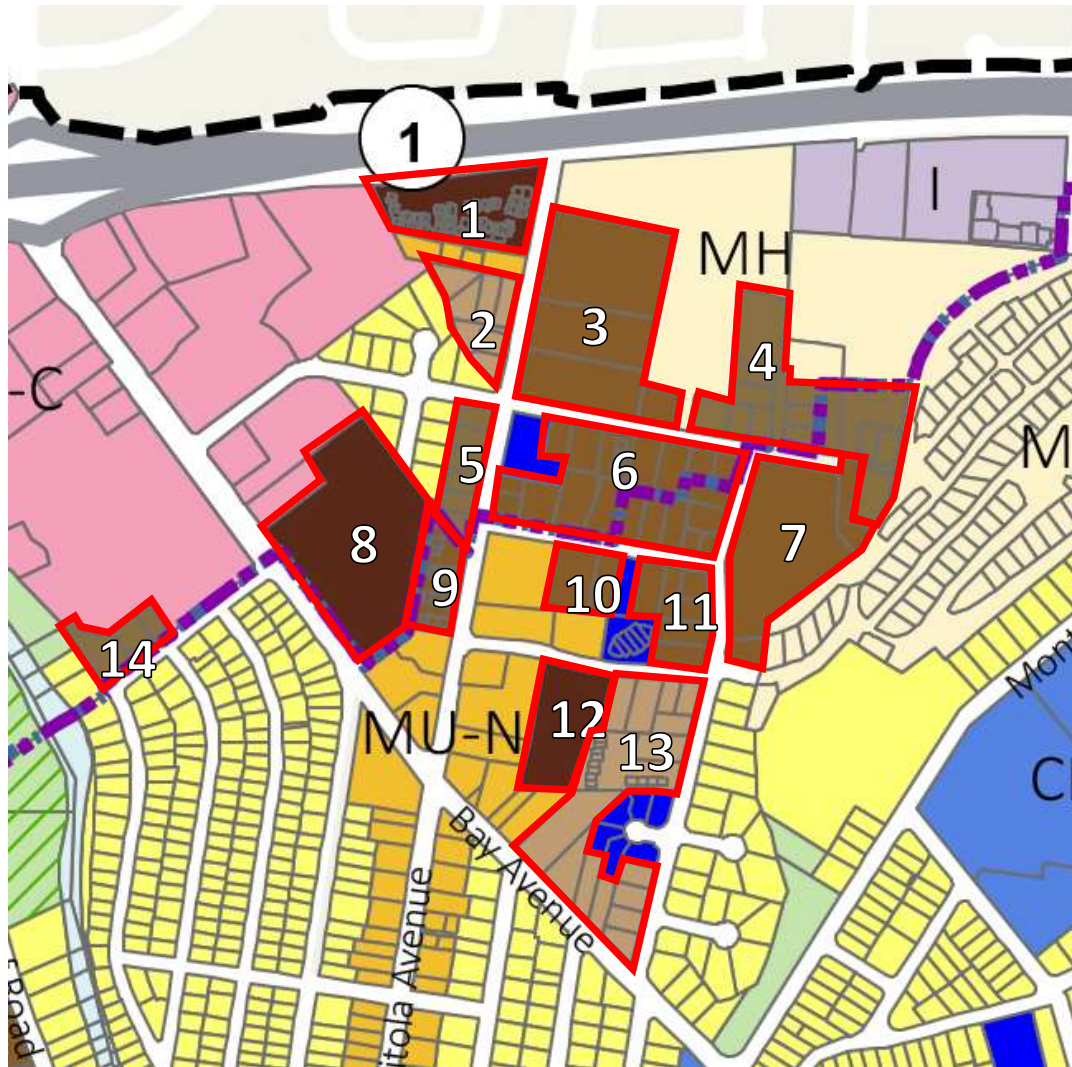
Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

North Central Area



ID	Existing	Built	Proposed <small>Item 2 A.</small>
1	RM-M	34 du/ac	RM-40 [1]
2	RM-M	6 du/ac	RM-15
3	RM-M	14 du/ac	RM-30
4	RM-L	10 du/ac	RM-20
5	RM-M	15 du/ac	RM-20
6	RM-M	7 du/ac	RM-30
7	RM-M	21 du/ac	RM-30 [1]
8	RM-M	23 du/ac	RM-40
9	RM-M	29 du/ac	RM-30 [1]
10	RM-M	13 du/ac	RM-30
11	RM-M	7 du/ac	RM-30
12	RM-M	38 du/ac	RM-40 [1]
13	RM-M	12 du/ac	RM-15
14	RM-L	16 du/ac	RM-20 [1]

 = increased allowed density

 = no increase in allowed density


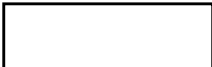
[1] = legalizes existing development density

Existing Maximum Density: RM-L: 10 du/ac RM-M: 15 du/ac RM-H: 20 du/ac

Capitola Village



ID	Existing	Built	Proposed
1	RM-L	17 du/ac	RM-10
2	RM-L	64 du/ac	RM-10

-  = increased allowed density
-  = no increase in allowed density

[1] = legalizes existing development density

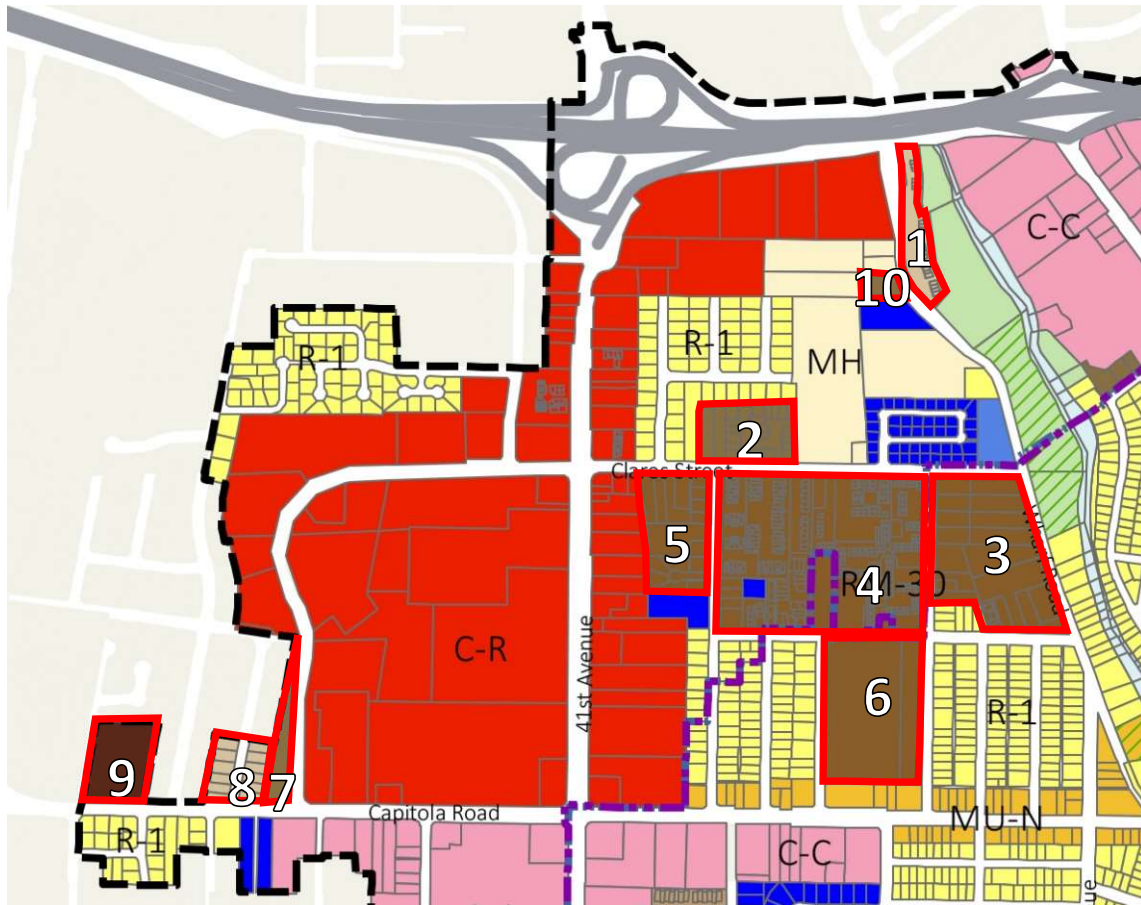
Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

Northwest Area



ID	Existing	Built	Proposed
1	RM-L	10 du/ac	RM-10
2	RM-L	10 du/ac	RM-20
3	RM-M	18 du/ac	RM-30
4	RM-M	17 du/ac	RM-30
5	RM-M	14 du/ac	RM-30
6	RM-L	12 du/ac	RM-30
7	RM-H	18 du/ac	RM-20
8	RM-L	9 du/ac	RM-10
9	RM-H	18 du/ac	RM-40
10	RM-L	10 du/ac	RM-10



= increased allowed density



= no increase in allowed density

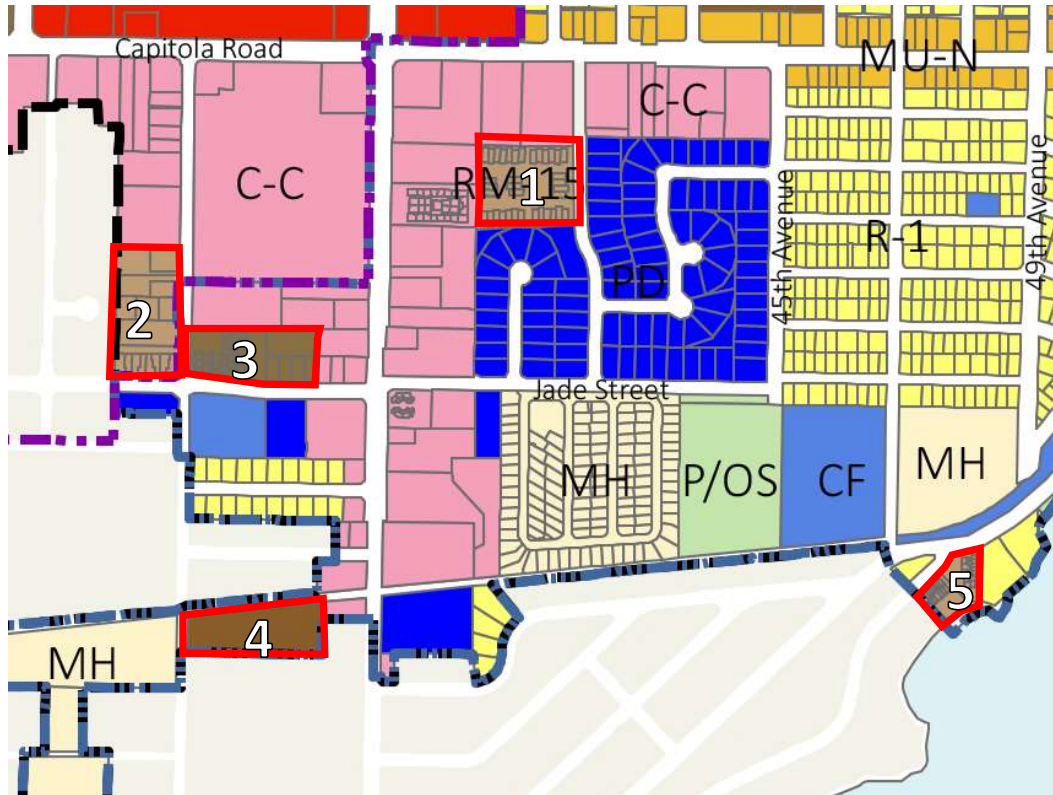
Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

Southwest Area



ID	Allowed	Built	Proposed
1	RM-M	15 du/ac	RM-15
2	RM-M	13 du/ac	RM-15
3	RM-H	12 du/ac	RM-20
4	RM-M	27 du/ac*	RM-30 [1]
5	RM-M	29 du/ac	RM-15

* Proposed project

= increased allowed density

= no increase in allowed density

[1] = legalizes existing development density

Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

Proposed New RM Standards

	RM-10	RM-15	RM-20	RM-30	RM-40
<i>Equivalent Existing Subzone</i>	<i>RM-L</i>	<i>RM-M</i>	<i>RM-H</i>	<i>N/A</i>	<i>N/A</i>
Density (max)	10 du/ac	15 du/ac	20 du/ac	30 du/ac	40 du/ac
Height (max)					
Stories	3	3	3	3	3
Plate	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.
Additional for pitched roof	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.

Red text = new and modified standard

Proposed New RM Standards

	RM-10	RM-15	RM-20	RM-30	RM-40
<i>Equivalent Existing Subzone</i>	<i>RM-L</i>	<i>RM-M</i>	<i>RM-H</i>	<i>N/A</i>	<i>N/A</i>
Building Coverage (max)	40%	40%	45%	50%	60%
Setbacks (min)					
Front	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Interior Side	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]
Street Side	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Rear	10 ft [2]	10 ft [2]	10 ft [2]	10 ft [2]	10 ft [2]

[1] In no case less than 3 feet or greater than 7 feet.

[2] 20 ft. if abutting a R-1 zone.

Red text = new and modified standard

RM Development Standards

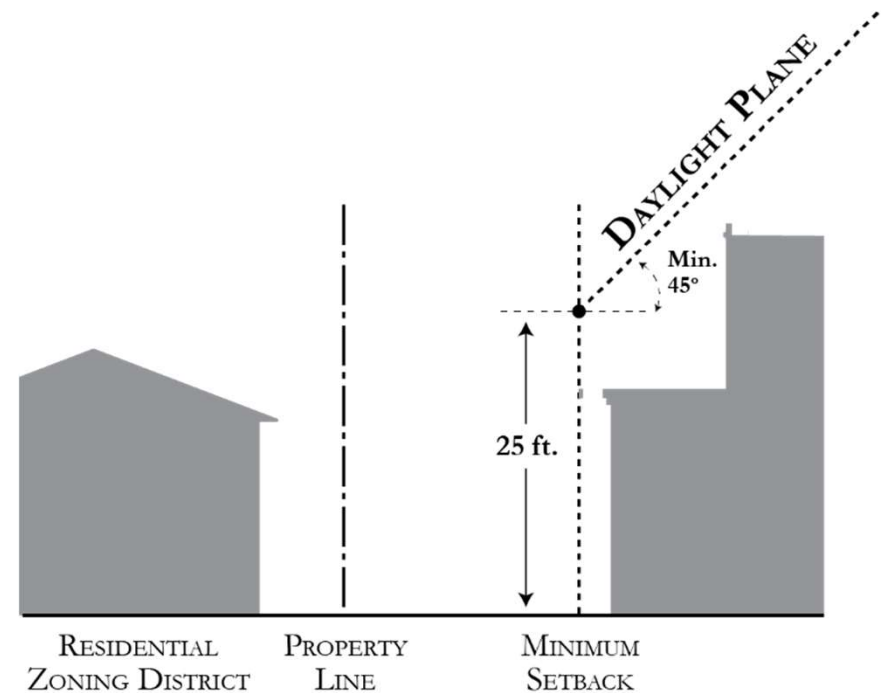
Development in RM zone must comply with all Zoning Code standards, including Objective Standards for Multifamily and Mixed-Use Residential Development (Chapter 17.82)



Objective Standards for Multifamily and Mixed-Use Residential Development

Standards for:

- Circulation and streetscape
- Parking and vehicle access
- Building placement, orientation, and entries
- Building massing
- Facade and roof design
- Other site features



Next Steps

Options:

1. Proceed with all Zoning Code Amendments for 2024 adoption, include RM zoning amendment.

OR

2. Separate RM zone changes from the 2024 zoning code amendments
 - Take public comment on RM tonight
 - Update RM zoning to reflect Planning Commission preliminary direction
 - New public notice for second work session after the 2024 zoning update adoption. (2025)

RM Zoning Districts

- Planning Commission Questions
- Receive Public Comment
- Requested Planning Commission Feedback:
 - Zoning Map
 - Development Standards
 - Timing (2024 Updates or 2025 Updates)

Other New Amendments

Housing On Religious Sites (17.96.220):

- Allows by right affordable housing developments on land owned by a religious institution
- Establishes site-specific standards on Saint Josephs Catholic Church and Shorelife Community Church sites

Alternative Housing Types:

- Adds definition for micro-units and cohousing (17.160)
- Allows 0.5 parking spaces per unit for micro units (Table 17.76-2)
- Lists cohousing as allowed use in R-1, RM, and MH zones (Table 17.16-1)
- Adds teacher housing as an available community benefit (17.88)

Other New Amendments

Retail Cannabis Establishments (17.24.020.D):

- Allows retail cannabis in the C-C zoning district fronting 41st Avenue

Office Uses in C-R Zone (17.24.020.C):

- Expands allowed location for ground floor office uses in the C-R zoning district

Good Standard For Permit Review (17.112.020.C.3):

- Adds that City will not accept application for a property with an active code enforcement action unless correction of violation is included as part of the proposed project

Other New Amendments

- Receive Public Comment
- Requested Planning Commission Feedback:
 - Questions?
 - Changes needed?

Westly, Austin

From: Cathy Dobbins <cdobbins61@hotmail.com>
Sent: Thursday, August 15, 2024 4:40 PM
To: PLANNING COMMISSION
Subject: Public Hearing for Proposed Change of Zone - 08/15/2024

I noticed the notes for the draft zoning code and draft zoning map state that the parking requirements will be reduced while the housing density will increase. We already struggle with parking, and now you want to increase the housing without accommodating the additional parking needs. Please explain why parking isn't being considered.

Thanks,

Cathy

Catherine Dobbins

4269 Sea Pines Court
Capitola, CA 95010
cdobbins61@hotmail.com
(831) 325-8806

"Be curious, not judgmental."

- Ted Lasso

Westly, Austin

From: H Bryce <helen.s.bryce@gmail.com>
Sent: Thursday, August 15, 2024 4:40 PM
To: PLANNING COMMISSION
Subject: [PDF] Capitola Rezone
Attachments: Visualizing Compatible Density - The Urbanist.pdf

Dear Commissioners,

My name is Helen Bryce. I live on Orchid Avenue. I am writing to comment on the proposed rezoning of areas in Capitola. I will keep my comment brief. Unfortunately the very short notice residents have received about this issue has prevented many of us from being able to fully examine the materials. In posting the information on August 9 for a August 15 meeting is unfair to Capitolans, IMHO.

(1) I am in agreement with the comments sent to you by Daniel Benvenuti and neighbors regarding 600 Park Avenue. Increasing the number of units by that much (4x) is excessive. Doubling the current number of units is far more reasonable.

(2) In looking at the letter from Santa Cruz YIMBY, I refer to Parking - Table 17.76-2 on page 1. Basically, I agree. I would add that parking will be an issue all over Capitola, including the 600 Park Ave site. Capitola simply does not have the public transportation needed to limit parking spaces this drastically, nor it is likely to in the near future. (And please be realistic about the "Rail". The County acknowledges a serious financial short-fall for this project. It's unlikely to come to fruition for at least another 10 years.)

Because of the high cost of rentals in the county, you must already know that multiple people often share units, resulting in multiple cars per unit.

(3) Infrastructure -- I've touched on parking, but what about the roads in Capitola? They are already clogged and in poor shape. Can Capitola expect to catch-up with the increased demand these additional units will create?

Water?! How can Capitola ensure that there will be enough water for all these increased units? Soquel Creek Water District keeps falling short. And SCWD already employs an extremely punitive method of charging customers -- charging by unit rather than occupant resulting in much HIGHER rates for families with more occupants when that in fact actually SAVES water.

(4) Number of units vs number of bedrooms (# of occupants). How large are these increased units going to be? This is an area of additional concern!

(5) I would like to draw your attention to this website. Please consider livability in moving forward with rezoning in Capitola.

<https://www.theurbanist.org/2017/05/04/visualizing-compatible-density/>

I have also attached the file. Hopefully you can see it.

Thanks for your attention.

Sincerely,
Helen Bryce

Item 2 A.

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(If anyone needs to reach me quickly, please call instead of relying on an email response. Thank you for your patience.)

831-428-8530

Westly, Austin

From: Marc B <mbfishon@gmail.com>
Sent: Friday, August 16, 2024 8:06 AM
To: PLANNING COMMISSION
Subject: RM zone change proposal

Dear planning commission members,

I am writing with regard to the meeting about proposed changes to the RM zones. Increasing the density by 100% on these properties must come with thoughtful and professional consideration of the how it will change our community.

There is a need for housing development and growth, however the changes must protect Capitola as the community we currently know and enjoy.

- 1) Has an impact study been done to insure the infrastructure can manage the 100% increase of prior zoning allowances?
- 2) The density increase will likely serve the special interest of developers, those who support them and not necessarily members of the community.
- 3) A sunset clause which returns zoning density back to original allowances should be considered prior to any changes.

Sincerely,

Capitola community member

Sent from my iPhone

Westly, Austin

From: Scott Rohlf <rohlf.scott@gmail.com>
Sent: Thursday, August 15, 2024 7:40 PM
To: PLANNING COMMISSION
Subject: Public Comment Regarding Citywide Zoning Code Update

Dear Planning Commission Members,

Thank you for the opportunity to provide public comment via email as I could not attend in person tonight. I would like to provide the following comments:

1) The proposed zoning change amendments appear to affect only pre-existing residential multifamily areas. These areas are already high-density by definition of multifamily, as opposed to the significant area of the city devoted to single-family housing. Single-family housing has been well-established to be an inefficient use of space, especially for cities that have developed fully within their jurisdictional boundaries. It would seem, that if trying to achieve state-mandated housing criteria is what you're after, then rezoning single-family residential (R-1) to multifamily residential would result in far greater housing opportunities. As you said in the meeting, today was not about rezoning single-family areas. It absolutely should be.

2) The current proposal to increase density in already high-density housing zones will result in greater impacts to those already living in these higher density zones. Residents of these zones already feel the high impact of traffic, busy crowded streets, and inundated street parking. As drivers are more distracted than ever, and driving faster than ever, these are recipes for the very incident of a three-car collision that happened recently at 42nd and Clares. These inundated streets with larger than ever vehicles are impacting sight lines changing streets that were once safe to drive and now dangerous. The current proposal will only amplify the issues residents of these zones face, rather than distributing that impact across less affected areas. Your general plan amendments should be addressing your street design as well; not doing this is a recipe for vehicular incidents, injuries, and potentially the loss of life.

3) Locating high-density housing along the transportation corridors and near commercial areas is wonderful in theory and will placate reviewers of any proposal. In practice, I don't know anyone who lives in Capitola and works in Capitola. Here, residents commute, as is on display during our hours-long rush hour. Locating along Metro lines is not sufficient. Metro is severely underserving the population of the area and does not have an impact lessening congestion. An order of magnitude increase in the bus fleet, or more, would be needed to impact the traffic situation, and that is not happening. Locating housing along mass transit will not affect car dependency without a transportation solution, like commuter rail, that is removed from the traffic itself.

3) Should the proposal to increase the density of the pre-existing high-density...

-Why not build higher and not increase the area of the parcel covered? Open space is crucial to well-being as we all have discovered during the pandemic. Open spaces also allow for meeting spaces and areas to congregate, which is very important as high-density housing stock is often small without enough space to utilize for a gathering. Open spaces allow for landscaping and opportunities for natural beauty and the ability to support native species. Please continue to support open spaces.

-Please require in your design review process mandatory electric vehicle charging for all units. As before, this proposal will not reduce car/other vehicle dependency. A consistent challenge in multifamily housing, where external improvements are regulated by zealous HOA committees, is the ability to install electric vehicle charging. For this reason, multifamily units are often left behind by electric charging programs. Given the required direction of vehicle development in the years to come, you have the opportunity to address this challenge.

Again, thank you for the opportunity to comment and I would like to commend the staff for widespread noticing.

In the future, please endeavor to add slides to the materials provided ahead of the public meeting. The slides were very informative but I am now hastily drafting this email (I apologize for any grammatical issues) before the public comment window ends.

Thank you,

--

Scott Rohlf

Westly, Austin

From: Michelle Henderson <sgt1164@gmail.com>
Sent: Thursday, August 15, 2024 6:30 PM
To: PLANNING COMMISSION; City Council
Subject: Proposed zone changes on 46th Avenue

Hello Planning Commissioners,

I'm pasting an email below that I sent on February 27, 2023 after I had already attended & spoken in person during the commission meeting regarding "The Bluffs at 44th" 100% affordable HUD housing project. All of my concerns have already been expressed in person and in this February 2023 email. All of these concerns were echoed by many residents in the neighborhood, but the state asserted it's will, and the city of Capitola surrendered. I do understand why the city of Capitola is limited on their ability to push back on the state on these thinly disguised imminent domain tactics, but in addition to my concerns already expressed I have this much to add, if anyone cares:

At one of the final, reluctantly required "go through the motions" public hearings re: The Bluffs, a commissioner stated something to the effect of "well these laws are decided by the state officials you elected in Sacramento". The only politician in Sacramento that I voted for is Newsom, and that was for him to be recalled. I'm not the only one in Capitola & the county. Please don't make such assumptions about your constituents & kick the can down the road excuse "well you voted for them". I did not.

I have talked to many people in the county about what is happening to this neighborhood. They all say, "well thankfully everything around me is already built up so I won't have to deal with it". News flash: they will tear down whatever they can and replace it with whatever they want. This is what is happening in my neighborhood. It'll happen in your neighborhood too.

When the Capitola Gardens are "rezoned", giving permission to double plus its size, opens the door for the property to be sold and for the state to move in with a forced multi story, high density housing units that are not held to any local zoning laws, even given the over extending re-zoning laws on proposal. In the public hearings regarding "The Bluffs", after back and forth with community objection, the developers (who are located in Davis and San Diego areas and not our community) profiting and empowered by the state, basically told the community "We can do whatever we want, be happy we didn't make it more than 3 stories with no parking, we could make it worse for you". Oh geez, thanks for your kindness. Take the money and run...

Capitola Municipal Code Chapter 17.04 PURPOSE AND EFFECT OF ZONING CODE states:

Preserve and enhance Capitola's small town feel and coastal village charm. (except when...)

Ensure that all development exhibits high quality of life design that supports a unique sense of space (except when...)

Protect and enhance the quality of life in residential neighborhood (except when...)

The list goes on, to include, as updated/passed September 2023 post the "The Bluffs" decision:

"Allow for a broad range of housing choices that meets the needs of all segments of the community".

We all understand the need for affordable housing. Reading all of the submitted letters to the commission, every neighborhood impacted by this rezoning proposal has its concerns, all valid. 46th Ave between Capitola Rd, Grace St and Clares St has only 17 single family homes, we are already surrounded on all sides by apartment rentals and condominiums. I'm not complaining! As it currently exists, this is a wonderful neighborhood, working families with mixed income levels medium to low. There's a reason why its called the "tool box". Again, I've expressed my concerns via previous email below, nothing has changed except conditions have worsened since the construction on The Bluffs, including my personal health impacted due to pre-8am to post 3pm construction on "The Bluffs" as predicted, see email from last year pasted below. The 46th Ave neighborhood, particularly between Capitola Rd and Grace St, have done their part voicing their concerns & objections, we were dismissed, I expect the same tonight. We already have our obligatory, state mandated, oversized monstrosity government subsidized housing, aka "The Bluffs" being constructed despite community objection. It's a done deal. I don't want any neighborhoods to go through what we've been through. But we've already absorbed this much already, rezoning the Capitola Gardens, will just pile it on.

My February 2023 email regarding these developments, not that it made any difference:



Michelle Henderson <sgt1164@gmail.com>

to planningcommission, citycouncil, bcc: me



Dear planning commissioners, and city council members,

I have attended in person the past two planning commission meetings when the proposed "The Bluffs at 44th" housing project at 4401 Capitola Rd. was on the agenda and have already spoken during the public comment portion. I will not be able to attend the meeting on March 2nd, but I am again expressing my strong opposition to this housing development that violates every provision of the zoning ordinance. This development is not appropriate for this location for reasons so many local residents have already expressed.

I live on 46th Avenue, which is already a busy thoroughfare for traffic between Clares St. and Capitola Rd. Based on where the planned driveway entrance to the parking lot off Capitola Rd is located, residents of this development approaching from the north will have to drive down 46th Ave to access the driveway. 46th Ave is too busy with (often speeding) vehicles as it is for a residential street, and will be further impacted by this housing project. Only one side of the street has a sidewalk, which is narrow, for pedestrians. People often walk in the street where there is no sidewalk. Inviting additional vehicle traffic on the street is an obvious hazard.

Parking is already strained in the neighborhood. With the overflow of vehicles from the apartments and condominium complexes, the homeless living in their vehicles, visitors to the events in the Village, and the church, there is often no available street parking, especially at night. I walk my dogs early in the morning and witness residents circling the block or idling in the street, waiting for another resident to leave so they can park their car. I used to work the midnight shift and did not have off street parking, and fully understand the misery of just wanting to park your car and go to bed but having to wait for a parking spot to become available. I frequently see cars parked in the red zone next to fire hydrants. Just this morning, I was surprised to see a neighbor walking home from an overnight work shift. She told me that she would prefer to drive as it did not feel safe to walk home alone, but she can never find parking for her car at that hour and would end up having to walk a distance anyway after finally finding a parking spot.

This housing project is too tall and too dense and inappropriate for this location. What about the quality of life of the residents who are already living in this crowded neighborhood? I will see a three story building blocking where I used to see daylight and a peek at the sunset. I suffer long term effects from a head injury that causes me to have low tolerance to noise. I become sick with migraine type headaches. I purposely retired to this neighborhood to escape the more crowded, busy pace and noise of a bigger city. Now I have to endure two years of construction noise for a housing project that every neighbor I've spoken to believes is entirely inappropriate for the location? The few people that have spoken out in favor of the project do not live in the vicinity of it, they live many blocks away and will not be directly impacted by it. The fact that members of the local community who are in need won't even get preference to one of the new apartments is particularly disappointing.

Just because the state dictates that low income housing developments are exempt from local zoning requirements doesn't make this housing development appropriate for this location. I listened to the developers, who live in the Davis and San Diego areas, nowhere near Capitola, exclaim to the commission how "excited" they were about this project. I'm sure they are! They swoop in here asserting their version of eminent domain on our community because the state says they can? They're excited alright, to make their money and go home after dumping an oversized, high density housing project with all of the subsequent problems for the community to contend with. If allowed, this project will forever alter the quality of life in this neighborhood, and not for the better.

Thank you for your consideration,

Michelle Henderson

Westly, Austin

From: Chelsea Barrett <contactchelseabarrett@gmail.com>
Sent: Thursday, August 15, 2024 6:16 PM
To: PLANNING COMMISSION
Subject: Comments to the planning commission for 8/15/24 public hearing

Dear Planning Commission,

My husband and I live at 600 Park Avenue and we are both teachers. My husband teaches at New Brighton Middle School and I formerly taught at Aptos High School but have since begun teaching at a school district in San Jose where I can earn a higher salary. However, I intend to return to teaching locally after our first child is born this year. I am currently 7 months pregnant.

My husband and I are incredibly concerned about the proposed rezoning and the impact that it will have on our apartment complex. It is our understanding that the city wants to demolish our complex and replace it with high density housing. If we are forced to vacate our home (where we have lived happily for 5 years), we will have great difficulty finding another home in Capitola that we can afford and that can accommodate our small family. We do not want to be forced to leave Santa Cruz (and our role as local educators) due to this proposed project. We strongly oppose any development at 600 Park Avenue, and we urge you to reconsider this project.

Please, consider the people who will be displaced by these plans and the impact that will have on the community. Many of our neighbors at 600 Park Avenue are city workers/public servants like us. Our neighbors also include elderly people, disabled people, and low income families. Where will we be expected to go if our home is destroyed? How will the city support us?

Thank you for your consideration,
Chelsea Barrett and Edward Curzon

--

Westly, Austin

From: H Kamalani <hjkamalani@gmail.com>
Sent: Thursday, August 15, 2024 7:01 PM
To: PLANNING COMMISSION
Subject: Fwd: Re proposed re zoning of park Ave development

Heajin Kamalani

Begin forwarded message:

From: H Kamalani <hjkamalani@gmail.com>
Date: August 15, 2024 at 6:58:08 PM PDT
To: citycouncil@ci.capitola.ca.us
Subject: Re proposed re zoning of park Ave development

A few questions/concerns I would like you to address...

1. Geological impact to cliff. Proposed are 4 story buildings with increase from 80 units to 270. Cliff erosion is an issue and some parts are less than 1/2 mile and prob even 1/4 mile from cliff. Have any geological studies been done re: impact of so much construction in this are? And if so, what were their findings?

Given cliff erosion on e Cliff Drive above the Capitola wharf after the storms— has this issue been considered?

2. Traffic impacts— already bridge connecting Capitola rd to soquel was blown up for freeway. Now one lane stop sign by Nob Hill. Now you are proposing adding 270 units — an increase from 80 units so that 300-500 more cars are coming in and out of one area and onto Park Ave? What traffic studies have been done? And what were the results?

3. Has coastal commission been contacted and what is their standing on this project?

I am not in favor of rezoning until all these questions are adequately evaluated.

Thank you,
 Heajin Kamalani
 Concerned citizen of Capitola
 24 yr resident od Santa Cruz

Westly, Austin

From: H Kamalani <hjkamalani@gmail.com>
Sent: Thursday, August 15, 2024 6:58 PM
To: City Council
Subject: Re proposed re zoning of park Ave development

A few questions/concerns I would like you to address...

1. Geological impact to cliff. Proposed are 4 story buildings with increase from 80 units to 270. Cliff erosion is an issue and some parts are less than 1/2 mile and prob even 1/4 mile from cliff. Have any geological studies been done re: impact of so much construction in this are? And if so, what were their findings?

Given cliff erosion on e Cliff Drive above the Capitola wharf after the storms— has this issue been considered?

2. Traffic impacts— already bridge connecting Capitola rd to soquel was blown up for freeway. Now one lane stop sign by Nob Hill. Now you are proposing adding 270 units — an increase from 80 units so that 300-500 more cars are coming in and out of one area and onto Park Ave? What traffic studies have been done? And what were the results?

3. Has coastal commission been contacted and what is their standing on this project?

I am not in favor of rezoning until all these questions are adequately evaluated.

Thank you,
Heajin Kamalani
Concerned citizen of Capitola
24 yr resident od Santa Cruz

August 15, 2024

Item 2 A.

City of Capitola Planning Department
ATTN: Planning Commission
420 Capitola Avenue
Capitola, CA 95010

RE: Homeowner's Opposition to the Proposed Zoning Map Amendment – Northeast Area Map

Dear City of Capitola Planning Commission:

We are homeowners of the parcels of real property that abut the proposed zoning map amendment, specifically section five (5) of said map amendment, which is attached hereto as Exhibit "A." This letter is in *opposition* to the proposed rezoning pertaining specifically to section five (5) *only* of said map.

We understand that the State of California has tasked each city and county within the state with expanding/rezoning areas within their respective jurisdictions to increase density under the California Housing Opportunity and More Efficiency (HOME) Act. We have reviewed the proposed map amendments that were published on August 9, 2024, on the City of Capitola's Planning website.

We would like to draw the Planning Commission's attention to section 5 of the map attached as Exhibit A, versus sections one (1) through four (4) on the same map.

1. Sections one (1), two (2), three (3) and four (4) on the Northeast Area Map currently are comprised of multi-story condos.
 - a. These sections (1-4) do not abut single family residences, or any residences for that matter.
 - b. On one side of the parcel for sections 1-4 is Balboa Avenue and on the other side of sections 1-4 is Park Avenue.
2. Section 5 is currently comprised of two duplexes and a fourplex that are one and two stories respectively.
 - a. The parcels that abut section 5 are all single-family residences that are one or two stories.
3. Unlike sections 1-4 that stand on their own, abutting no other parcels, section 5 does abut other parcels – all being single family residences. All these residences have been occupied by single families since they were built in the 1960's.
4. For section 5, the current zoning density is 20 du/ac, with the actual du/ac being 23.
 - a. The proposal to rezone would be to do two things:
 - i. Adopt the current density from 20 to 23 du/ac, which is not being challenged by this letter; and
 - ii. Increase said du/ac to 30 du/ac, which *is being opposed* by this letter.
 - b. The only way for a future developer to increase density on those parcels that comprise section 5 would be to build up.

- c. The entire North side of Balboa Avenue, all of Sir Francis Avenue, and all of Cabrillo Avenue are comprised of a maximum of two-story dwellings, including what is currently built in section 5. Whereas sections 1-4 are comprised of multi-story condos.

In sum, section 5 is an island of proposed rezoning that deviates extraordinarily from the standard in the neighborhood. It is the undersigns' request that the Planning Commission do the following:

- 1. For section 5 only, adopt the current density from 20 to 23 du/ac; and
- 2. For section 5 only, remove the proposed increase of density to 30 du/ac, and leave it at 23 du/ac.

We appreciate your consideration. Should you wish to talk to us, please contact Samantha Hart Farren at 809 Sir Francis Avenue, Capitola, CA 95010, (831) 247-9744.

Respectfully,

Cliffwood Heights Homeowners

116 CABRILLO ST.

Street Address



Signature

809 SIR FRANCIS AVE

Street Address



Signature

811 SIR FRANCIS AVE

Street Address



Signature

811 SIR FRANCIS AVE

Street Address



Signature

805 SIR FRANCIS AVE

Street Address



Signature

813 SIR FRANCIS AVE

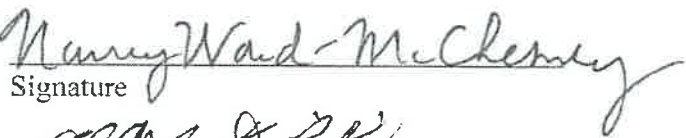
Street Address



Signature

821 Sir Francis Ave

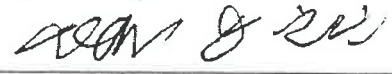
Street Address



Signature

820 Balboa

Street Address



Signature

809 SIR FRANCIS AVENUE

Street Address



Signature

824 BALBOA
Street Address

Ken Radliff
Signature

EXHIBIT A

Item 2 A.

Northeast Area



ID	Existing	Proposed
1	RM-L	RM-20
2	RM-H	RM-40[1]
3	RM-H	RM-30[1]
4	RM-H	RM-20
5	RM-H	RM-30[1]
6	RM-L	RM-40
7	RM-L	RM-10

= increased density proposed
 = no increase in density

[1] = legalize existing development density

Existing Maximum Density

- RM-L: 10 du/ac
- RM-M: 15 du/ac
- RM-H: 20 du/ac

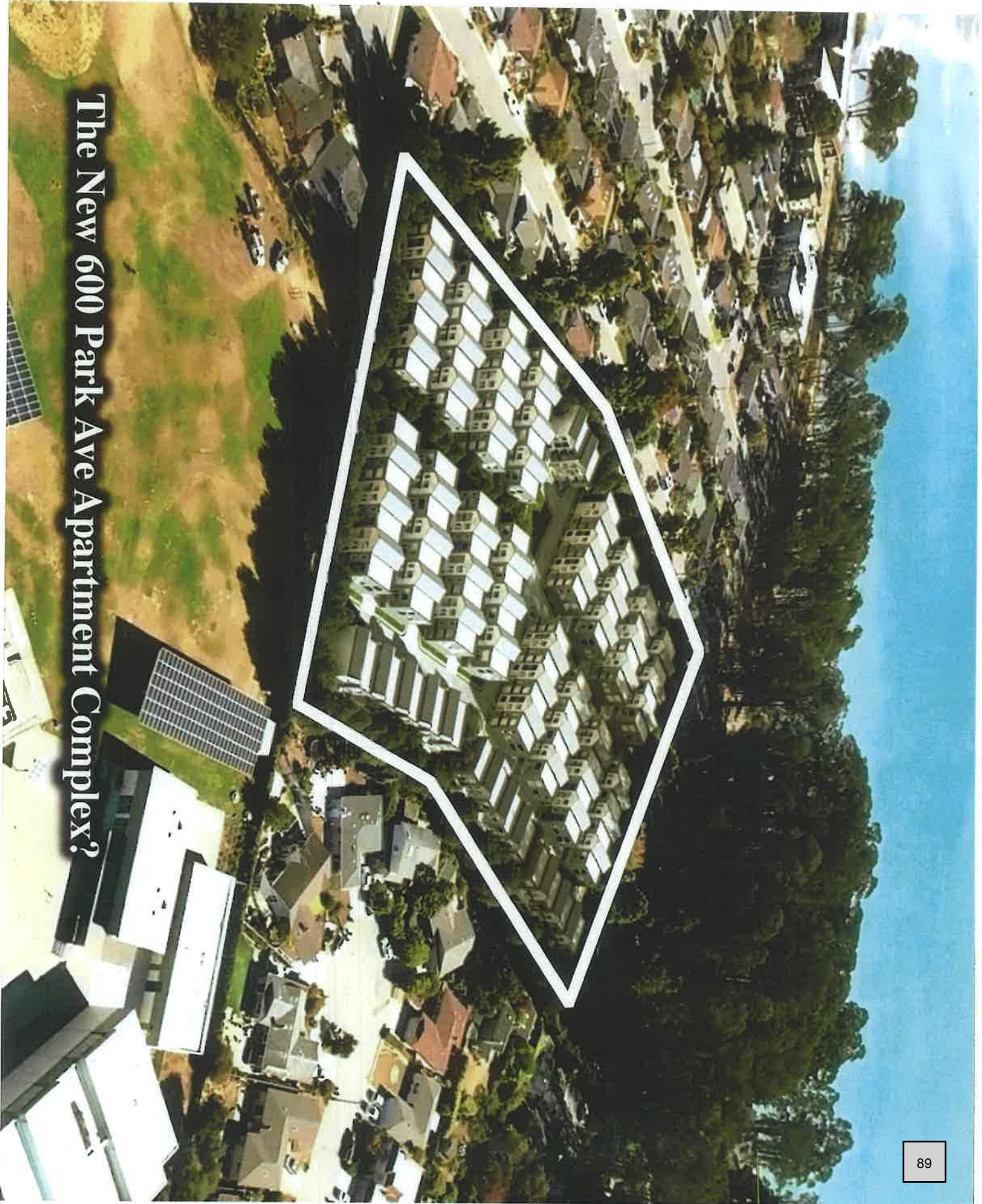
From: Dan 116133@hotmail.com
Subject: Rezoning 600Park Av apartments
Date: Aug 14, 2024 at 2:04:55 PM
To: planningcommission@ci.capitola.ca.us

Commission members

I am Daniel Benvenuti my home is at 105 Wesley Street for the past 40 years. The 600 Park Ave. apartments are directly behind my home. Since becoming aware 11 days ago. of the rezoning of multiple areas throughout Capitola, I have been very busy trying to educate myself on this issue. I hope the commission realizes that the decisions before them will have an everlasting impact on the citizens of our community. That being said, I would hope that more time can be made available so that the public can educate themselves and better express their concerns. These are my concerns. I received information that the property was on the market several months ago. The listing included a possible representation of a new development. Since then, the property has sold to a large developer . According to your draft zoning code amendment approximately 300 pages under chapter 17.04 proposed affect section item number one states preserve and enhance Capitola small town feel coastal Village charm number two ensure that all development exhibits high-quality design that supports a unique sense of place, and finally number three protect and enhance the quality of life and residential neighborhoods. The conceptual renditions, which I have included, obviously do not adhere to Purpose and effect section. In January 14, 2010, the coastal commission held the hearing and one of the topics was a public hearing and action on request by the city of Capitola to amend the LCP to add an affordable housing overlay district design to allow increased density of up to 20 units per acre for projects with a minimum of 50% affordable units to apply to the new district to a site at 600 Park Ave. in Capitola Santa Cruz, California. It is my recollection that at that time we as residence were assured that if such increase was allowed that there would never be more than two-story units on the property property. This is not the case, presently with the new representation. Obviously, I am strongly opposed to changing the existing RM 10 to RM 40 zoning, not only for the reasons outlined above, but in addition this property currently offers some of the last low income available housing in Capitola this would all change. Secondly, there is already concerned over the traffic conditions on Park Avenue this last year you asked for public input for potential softening of traffic on Park Avenue based on four proposals, I personally responded. All four proposals were not adequate enforcement of the existing 25 mile an hour speed limit would be much more affective and possibly making Park Avenue one way in and Monterey Avenue one way out of Capitola. I never received a response and obviously now by the recent changes on Bay Avenue at the

Nob Hill shopping center that some of these proposals is being tested. Third, Park Avenue property presently only has one entrance. This would be a major safety issue if an immediate evacuation had to be made. If a second access would be mandated it would most likely be at the cul-de-sac at the end Wesley Street. The impact potentially an additional 540 vehicles would pose an even greater unsafe condition in our neighborhood. Forth, Parking would obviously be an additional issue presently with 80 unit occupancy and multiple parking at the site vehicles continue to park along Park Avenue and Wesley Street. The the additional impact of 540 vehicles would only exasperate this problem. Fifth I am sure you realize that the property lies in a natural drainage. Most likely parking would be below ground level. The potential for flooding would exist. Finally potential solutions might be to develop the lower parking lot where a Mobil home community once existed . The lot has never been utilized to any extent it now serves as storage and parking for Capitola employees perhaps on a very few occasions visitors utilize the lot. It offers two entrances. A two-story development could exist with little to no impact on surrounding properties. The addition of ADU is very popular if the city would consider incentives to further promote these dwellings this would help meet the demand. Enclosing I am sure given time with public input there are many more potential solutions to the housing mandate. But time, education and communication must take place I urge the commission to reconsider the unprecedented increase to the zoning of 600 Park Ave. I have included a petition signed by the effected residents. This proposed increase is in direct opposition to purpose and effect section chapter 17.04 items one ,two and three. My hope is that we can all work together to find a solution to this challenge. Sincerely Daniel Benvenuti. [image2.jpeg]. [image3.jpeg] [image1.jpeg] . Daniel Benvenuti

Sent from my iPhone [image0.jpeg]



The New 600 Park Ave Apartment Complex?

Subject: Rezoning 600 Park av apartments

8/13/2011
101
Item 2 A.

We the undersigned residence /owners adjacent to 600 Park Ave. ~~APT.~~ complex
oppose the proposed rezoning from RM 10 to RM 40.
Sent from my iPhone

- 1) MARY CHRISTENSEN
- 2) Kaya Morris
- 3) Karl Sum Lee
- 4) DANIEL BENVENUTI
- 5) JOANNE J YOUNG
- 6) CHARLES THOMAS

1
K. Morris
K. Sum Lee
Daniel Benvenuti
Joanne Young
C. Thomas

- 149 Wesley St
- 129 Wesley
- 106 Wesley
- 105 WESLEY
- 101 Wesley
- 516 Park Ave

- 7) Raina Denine
- 8) BARBARA BOSSAK
- 9) ROBERT BERG
- 10) PHILIP DE MONET
- 11) Grace Olin
- 12) Debbie Egense
- 13) Riley Popovich
- 14) Mike Breaker
- 15) Jeff Lee

Raina Denine
B. Bossak
Rob Berg
Philip De Monet
Grace Olin
Debbie Egense
Riley Popovich
Mike Breaker
Jeff Lee

- 514 PARK AVE.
- 102 WESLEY ST.
- 110 Wesley St
- 122 WESLEY ST
- 130 Wesley St.
- 134 Wesley St
- 150 Wesley St
- 718 orchid Av
- 117 Wesley St.

- 16) Mary Margulies
- 17) Michael Margulies
- 18) Carly Vaughn
- 19) MAR ETCHEVERRY

M. Margulies
M. Margulies
Carly Vaughn
M. Etcheverry

- 125 Wesley St
- 125 Wesley St
- 145 Wesley St
- 710 ORCHID AVE

Subject: Rezoning 600 Park av apartments

5/13/2024







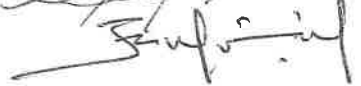








Item 2 A.

2 OF

APT.

We the undersigned residence /owners adjacent to 600 Park Ave. ~~apart~~ complex oppose the proposed rezoning from RM 10 to RM 40.

Sent from my iPhone

- 7.0) PHILIP COPLAND  137 Wesley St.
- 21) TERENCE MCKENNA  121 WESLEY ST.
- 22) JEDIDIAH A WILSON  109 WESLEY ST.
- 23) KELLY DELIACQUA  114 WESLEY ST.
- 24) Sandra Hughes  118 Wesley St.
- 25) Tiffany Hsu  702 Orchid Ave
- 26) RAMON VILLARREAL  706 ORCHID AVE
- 27) Brent Ostermann  526 McCormick Ct.
- 28) BRIAN WINTERHARDT  520 M CORMICK CT.
- 29) TRACY WINTERHARDT  530 McCormick
- 30) FENELOPÉ BARRES  523 McCormick Ct.
- 31) Patsy Ljungquist  519 McCormick Ct Cays.
- 32) DAN KAMALANI  518 McCormick Ct Cas
- 33) STAN & CAROL WILSON  511 McCormick Ct, Cap.
- 34) Robert Thrift  522 McCormick Ct, Cap
- 35)
- 36)
- 37)

Capitola Planning Commission

Agenda Report



Meeting: August 15, 2024

From: Community Development Department

Address: Citywide Zoning Code Update

Project Description: Application #24-0026 for Amendments to Capitola Municipal Code Title 17: Zoning and Zoning Map. The proposed Zoning Code amendments will impact the development standards and regulations for properties citywide. The proposed Zoning Map amendments will alter the Residential Multifamily (RM) Zoning District. The Zoning Code and Zoning Map are part of the City's Local Coastal Program (LCP), and amendments require certification by the California Coastal Commission before taking effect in the Coastal Zone.

Recommended Action: Staff recommends the Planning Commission (1) provide feedback to staff on discussion items outlined in the staff report related to the draft Zoning Code amendments and draft Zoning Map Amendments; and (2) continue the discussion on the Zoning Code and Zoning Map amendments to the August 27, 2024, Special Planning Commission hearing.

Location: The draft Zoning Code amendments apply to properties citywide. The draft Zoning Map amendments apply to properties in the RM Zone.

Representative: Ben Noble Consultant

Sean Sesanto, Associate Planner

Background: The City is updating the Zoning Code to implement programs in the sixth cycle Housing Element and to address other identified issues. The Planning Commission met on February 1, February 16, May 2, June 6, and July 23, 2024, to discuss and provide staff direction on required Zoning Code updates relating to the Housing Element and other topics. Attachment 1, which lists all proposed Zoning Code amendments, identifies Planning Commission direction received at these meetings.

Discussion: The purpose of this agenda item is to receive public comment and direction on the draft amendments to the Zoning Code and Zoning Map.

The draft amendments to the Zoning Code and Zoning Map, published on August 6, 2024, are available in hard copy at Capitola City Hall and the Capitola Library. The Draft Amendments are also available on the City's website at the following link:

<https://www.cityofcapitola.org/communitydevelopment/page/public-review-drafts-zoning-code-updates>

On July 23, 2024, the Planning Commission reviewed and provided feedback on a preliminary draft of the Zoning Code Amendments, which included most, but not all, of the proposed amendments. Staff used this feedback to prepare further revisions to the Zoning Code. The additional changes to the Zoning Code previously reviewed by the Planning Commission are indicated with yellow highlights and underline or strikethrough.

Since July 23, staff has prepared further Zoning Code amendments for Planning Commission review on August 15, 2024. In particular, Planning Commission feedback is requested on proposed changes to the allowed density and development standards in the RM zone and the draft Zoning Map amendments to the RM zone. Staff also requests Planning Commission feedback on other new amendments, including new provisions for housing on religious sites, retail cannabis, office uses in the C-R and C-C zones, and a "good standing" provision. These amendments are discussed in greater detail below.

The Draft Zoning Code Amendments include all proposed changes except for pending amendments to Chapter 17.88 (Incentives for Community Benefits), which will include updates to the community benefits and incentives for the Capitola Mall site, consistent with Housing Element. Amendments to the Capitola

Mall site have been the focus of the latest amendments to the Housing Element. Staff is awaiting final adoption of the Housing Element prior to revising Chapter 17.88.

RM Zoning Districts: Housing Element Program 1.6 requires the City to assess the maximum densities allowed in the Residential Multifamily (RM) zones and to determine if higher densities can help facilitate multi-family development. Program 1.6 also requires the City to review the RM development standards such as the limits to lot building coverage, setbacks, parking, and height and revise these standards, if necessary, to reduce constraints on the development of housing.

Currently, the RM zone is divided into three subzones, including Residential Multifamily Low Density (RM-L), Residential Multifamily Medium Density (RM-M), and Residential Multifamily High Density (RM-H) with a maximum allowed density of 10 dwelling units per acre (du/ac) in RM-L, 15 du/ac in RM-M, and 20 du/ac in RM-H. Table 1 outlines existing RM development standards for density, height, building coverage, and setbacks.

Table 1: Existing RM Zone Development Standards

	RM-L	RM-M	RM-H
Density (max)	10 du/ac	15 du/ac	20 du/ac
Height (max)	30 ft.	30 ft.	35 ft.
Building Coverage (max)	40%	40%	40%
Setbacks (min)			
Front	15 ft.	15 ft.	15 ft.
Interior Side	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]
Street Side	10 ft.	10 ft.	10 ft.
Rear	15% of lot depth	15% of lot depth	15% of lot depth

Foot Notes:

[1] In no case less than 3 feet or greater than 7 feet.

On June 6, 2024, staff provided an overview of the RM subzone densities and development standards and the possibility of increasing the allowed density on RM sites to a maximum of 40 units per acre. The Planning Commission requested that staff consider existing densities on RM properties to bring non-conforming development into compliance, existing land uses surrounding RM properties, and environmental constraints (such as geologic hazards and habitat areas) when drafting the amendments to the RM zone and Zoning Map. The current draft Zoning Map and Zoning Code Amendments reflect the Planning Commission's direction while also creating opportunities for additional housing in line with the Housing Element.

RM Zoning Map Amendments: In response to Planning Commission direction, Attachment 2 shows proposed Zoning Map amendments on existing RM parcels. As shown in the Zoning Map, staff recommends replacing the existing three RM subzones with five new RM subzones as follows:

- RM-10 (maximum 10 du/ac)
- RM-15 (maximum 15 du/ac)
- RM-20 (maximum 20 du/ac)
- RM-30 (maximum 30 du/ac)
- RM-40 (maximum 40 du/ac)

Attachment 2 features the proposed RM zoning in five geographic areas (e.g., Northeast, Village). To facilitate discussion of proposed zoning changes, the RM parcels in the five geographic areas are further grouped into numbered areas. For each numbered area, tables show the existing and proposed new RM

zoning. Numbered areas where proposed new zoning would increase allowed densities are noted with a pink color in the summary tables. Attachment 3 lists proposed new zoning for numbered areas with additional information explaining the rationale for the proposal.

The proposed RM zone changes include the RM-10 and RM-15 subzones to maintain existing allowed densities on RM parcels where increasing allowed densities is not desired. For example, the Grove Lane parcels (No. 7 in Northeast Area) are currently zoned RM-L, allowing a maximum density of 10 du/ac. Due to constraints related to coastal hazards and Coastal Act requirements, the proposed zoning is RM-10, maintaining the existing maximum of 10 dwelling units per acre (du/ac).

The proposed RM density allows up to 40 dwelling units per acre. This density can be accommodated with three-story buildings and the proposed parking requirement reductions. In the RM zone, a proposed project with deed-restricted affordable or senior housing may also request additional density and modified development standards through state density bonus law.

RM Development Standards: Proposed development standards for the new RM subzones are found in Section 17.16.030.B of the Zoning Code amendments. Table 2 outlines proposed RM density, height, coverage, and setback standards, and notes existing RM subzone with the same allowed maximum density. New and modified standards are shown in **bold**. Compared to existing RM standards, the proposed new RM standards allow for increased height for pitched roofs, increased building coverage in the RM-20, RM-30, and RM-40, and reduced rear setbacks in all subzones. Staff recommends these changes to align development standards with the allowed density in the new RM subzones.

Table 2: Proposed New RM Standards

New Subzone	RM-10	RM-15	RM-20	RM-30	RM-40
<i>Equivalent Existing Subzone</i>	<i>RM-L</i>	<i>RM-M</i>	<i>RM-H</i>	<i>N/A</i>	<i>N/A</i>
Density (max)	10 du/ac	15 du/ac	20 du/ac	30 du/ac	40 du/ac
Height (max)					
Stories	3	3	3	3	3
Plate	30 ft.	30 ft.	30 ft.	30 ft.	35 ft.
Additional for pitched roof	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Building Coverage (max)	40%	40%	45%	50%	60%
Setbacks (min)					
Front	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Interior Side	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]	10% of lot width [1]
Street Side	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Rear	10 ft. [2]	10 ft. [2]	10 ft. [2]	10 ft. [2]	10 ft. [2]

Footnotes:

[1] In no case less than 3 feet or greater than 7 feet.

[2] 20 ft. if abutting a R-1 zone.

Residential Multifamily projects must also comply with applicable requirements under Chapter 17.82 (Objective Standards for Multifamily and Mixed-Use Residential Development) including the daylight plane standard for projects adjacent R-1 zoned properties.

Other Draft Zoning Code Amendments: The Zoning Code amendments also contain the following new amendments that were not previously reviewed by the Planning Commission:

- **Housing On Religious Sites** (17.96.220): Allows by-right affordable housing developments on land owned by a religious institution, as required by state law. Establishes site-specific standards for development on the Saint Joseph’s Catholic Church and Shorelife Community Church sites.
- **Alternative Housing Types:** Adds definition for micro-units and cohousing (17.160), allows 0.5 parking spaces per unit for micro units (Table 17.76-2); lists cohousing as an allowed use in R-1, RM, and MH zones (Table 17.16-1); adds teacher housing as an available community benefit (17.88).
- **Retail Cannabis Establishments** (17.24.020.D): Allows retail cannabis in the C-C zoning district fronting 41st Avenue.
- **Office Uses in C-R Zone** (17.24.020.C): Expands allowed location for ground floor office uses in the C-R zoning district.
- **Good Standing for Permit Review** (17.112.020.C.3): Adds that the City will not accept applications for a property with an active code enforcement action unless correction of violation is included as part of the proposed project.

Next Steps: The Housing Element requires many of the proposed Zoning Code Amendments to be completed in 2024. Table 3 shows completed meetings and upcoming milestones to complete the Zoning Code amendments.

Table 3: Zoning Code Update Schedule

Milestone	Date
Planning Commission Study Session 1 (completed)	February 1, 2024
Planning Commission Study Session 2 (completed)	February 15, 2024
Planning Commission Study Session 3 (completed)	May 2, 2024
Planning Commission Study Session 4 (completed)	June 6, 2024
Planning Commission Study Session 5 (completed)	July 23, 2004
Planning Commission Hearing	August 15, 2024
<i>City Council Housing Element Adoption</i>	<i>August 22, 2024</i>
Planning Commission Hearing (special)	August 27, 2024
Planning Commission Hearing	September 5, 2024
Planning Commission Hearings (special)	September 19, 2024
City Council Meeting (introduce amendments)	September 26, 2024
City Council Public Hearing	October 10, 2024
City Council Second Reading	October 24, 2024

CEQA: Analysis of potential environmental impacts from proposed Zoning Code amendments will be presented at a future Planning Commission hearing.

Attachments:

1. Zoning Code Amendments Summary Table
2. Draft Zoning Map Amendments
3. Zoning Map Amendment Summary Table
4. Draft Zoning Code Amendments - Available on the City’s website at:
<https://www.cityofcapitola.org/communitydevelopment/page/public-review-drafts-zoning-code-updates>

Report Prepared By: Ben Noble, Consultant

Reviewed By: Julia Gautho, City Clerk

Approved By: Katie Herlihy, Community Development Director

HOUSING ELEMENT IMPLEMENTATION

Topic (Housing Element Program)	Planning Commission Direction	Amendment Location	Amendment Description
Affordable Housing Overlay (1.1)	Reviewed 7/23/24 – No changes directed.	Table 17.12-2; 17.36.080.H.1; 17.40.020	Removes the Affordable Housing Overlay from the City’s Zoning Ordinance and Zoning Map
Missing Middle Housing (1.1)	2/15/24: Modify RM development standards to allow missing middle housing projects.	17.16.020.C	Creates new MF subzones with increased allowed density, increased maximum building coverage, increase allowed height, and reduced rear setbacks to allow missing middle housing types.
Corner Duplexes (1.6)	2/15/24: Allow duplex on all corner lots subject to same development standards as a single-family home.	Table 17.16-1	Duplex homes allowed on corner parcels in the R-1 zone.
Lot Consolidation (1.1)	2/15/24: Develop incentives to encourage lot consolidation as proposed by staff	17.20.040.K; 17.24.030.J:	Increases height and FAR for housing development projects that consolidate adjacent housing element opportunity sites
Replacement Housing (1.2)	7/23/24: Clarify 17.96.210(C)(1)(d) regarding application submittal requirements.	17.96.210	New section requiring replacement of affordable units on nonvacant sites pursuant to AB 1397.
Expand Incentivized Zone (1.4)	No prior direction.	Not yet drafted	Not yet drafted
Mall Redevelopment - Incentivized Zone (1.7)	2/1/24: Increase maximum height to 75 feet, remove parking garages from FAR calculation, add objective standards to step massing along the street frontage, and require garages are incorporate into the architecture (wrapped)	Not yet drafted.	Not yet drafted.
Alternative Housing Types (1.5)	2/15/24: SROs: Maybe promote if we can count towards RHNA; Live/Work: not priority in Capitola; Micro units: Promote close to transit center; Co-housing: check this box if will please HCD; Workforce: add as community benefit	Table 17.16-1; Table 17.76-2; 17.88; 17.160.020.C; 160.020.M	Adds definition of micro-unit, allows increased height and FARs for micro-units, allows 0.5 parking spaces per unit for micro units; Defines cohousing and lists as allowed use in R-1, RM, and MH zones; Adds teacher housing as an available community benefit

Topic (Housing Element Program)	Planning Commission Direction	Amendment Location	Amendment Description
Parking – Multifamily (1.6)	2/15/24: 0.5 per unit <350 sf close to transit 1.0 per unit <500 sf 1.5 per unit 500-750 sf 2.0 per unit ≥750 sf No covered or additional guest parking	Table 17.76-2	Reduces parking require for multifamily dwelling based on unit size
RM Density and Development Standards (1.6)	5/2/24; 6/3/24: Prepare zoning map amendment with increased RM density and supporting development standards as proposed by staff. Further PC and public review needed.	17.16.020.C	Creates new MF subzones with increased allowed density, increased maximum building coverage, increase allowed height, and reduced rear setbacks to allow missing middle housing types.
Parking – Senior and Special Needs (1.6)	2/15/24: Revise required parking spaces for senior and special needs housing uses as proposed by staff. Consider needed guest parking	Table 17.76-2	Reduces parking required for group housing, residential care facilities, transitional housing, and senior housing
Housing on Education and Religious Sites (1.8)	5/2/24: Create site specific standards for affordable housing projects on land owned by religious institutions as allowed under SB 4	17.96.220	Allows affordable housing projects on land owned by religious institutions consistent Government Code Section 65913.16
Density Bonus (2.5, 3.6)	No prior direction.	Not yet drafted	Not yet drafted
Emergency Shelters (3.1)	Reviewed 7/23/24 – No changes directed.	Table 17.24-1; 17.96.030; 17.160.020.E.3:	Adds emergency shelter is “P” use in the C-C zone; Revises standards to comply with Government Code Section 65583(a)(4)(B); Adds statement that emergency shelters may include other services such as navigation centers and bridge housing.
Low Barrier Navigation Centers (3.1)	Reviewed 7/23/24 – No changes directed.	17.96.200	Adds statement that low barrier navigation centers are allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Transitional Housing (3.2)	Reviewed 7/23/24 – No changes directed.	Table 17.16-1, 17.20-2; Table 17.24-1; 17.160.020.T.5:	Maintains transitional housing in definition of Residential Care Facilities; Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Adds definition of transitional housing in glossary

Topic (Housing Element Program)	Planning Commission Direction	Amendment Location	Amendment Description
Supportive Housing (3.2)	Reviewed 7/23/24 – No changes directed.	17.96.070	Adds statement that supportive housing is allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses
Employee Housing (3.3)	Reviewed 7/23/24 – No changes directed.	17.160.020.S.5	Adds statement that definition of single-family dwelling includes employee housing for six or fewer persons.
Large Residential Care Facilities (3.4)	Reviewed 7/23/24 – No changes directed.	Table 17.16-1, 17.20-2; 17.20.020.F; Table 17.24-1; 17.96.080	Changes Large Residential Care Facilities from a “C” to a “P” use in the RM and MU-V zones; Adds Large Residential Care Facilities as an allowed use requiring a Conditional Use Permit (“C”); Removes Large Residential Care Facility standards
Reasonable Accommodations (3.4)	Reviewed 7/23/24 – No changes directed.	17.140.070	Revises criteria for reasonable accommodations.
Daycares (3.6)	Reviewed 7/23/24 – No changes directed.	Table 17.25-1	Changes day care centers from a “C” to an “M” use

Additional Zoning Code Cleanup Amendments

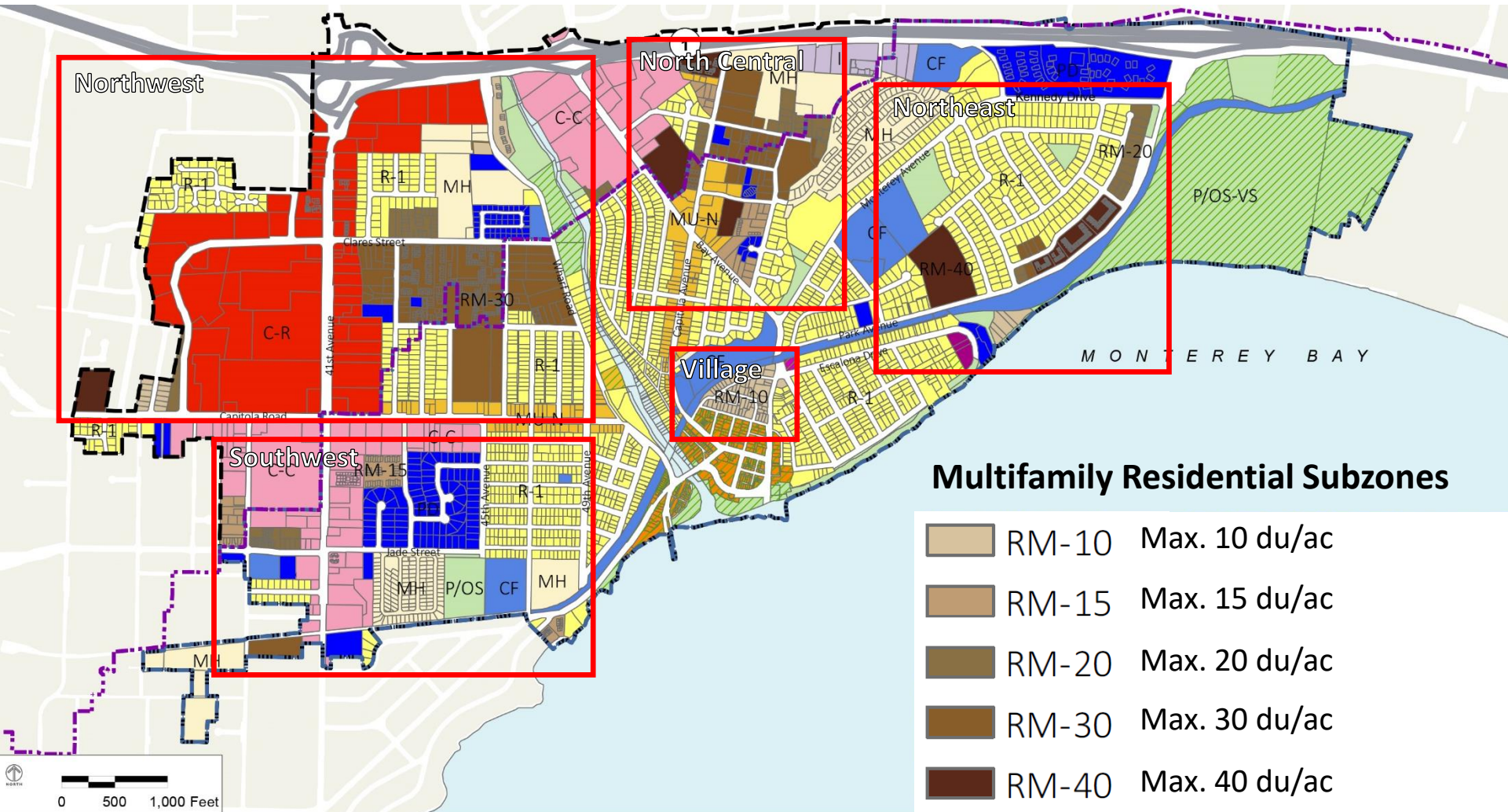
Topic	Planning Commission Direction	Amendment Location	Amendment Description
Design Review Process; Architecture and Site Review Committee	2/1/24; 5/2/24, 7/23/24: Re-establish the former design review process (Architecture and Site Review Committee). Clarify which Design Permit projects require Committee review and when a third-party design consultant is required. Require public notice of pending application. Clarify Committee role remains advisory and should not trigger public hearing requirements.	17.120	Adds public notice of application submitted for design permit applications reviewed by Planning Commission, adds City-contracted design professional involvement in Development and Design Review Committee meeting with applicant for more significant projects, removed design criteria with existing objective standards.
MU-V, MU-N Driveways/Curb Cuts	Reviewed 7/23/24 – No changes directed.	17.20.030.F; 17.20.040.F; 17.76.040.C.3.c	Allows exception to driveway and curb cut standards in MU-V and MU-N to allow for one parking space of up to 14 feet in width. Adds cross reference in 17.76.040 to Section 17.20.030.E.6 (Driveways and Curb Cuts)
Opaque windows on second stories	2/1/24: Clarify that opaque windows may be required on case-by-case basis (not always mandatory)	17.16.B.11.d	Opaque windows may be required by the Planning Commission on case-by-case basis, but are not always required

Topic	Planning Commission Direction	Amendment Location	Amendment Description
Location of Retail Cannabis Establishments	7/23/24: Allow retail cannabis in C-C fronting 41 st Avenue	Table 17.24-1; 17.24.020(D)	Allow retail cannabis in C-C fronting 41 st Avenue
First floor offices in the C-R Zone	No prior direction – review of draft amendments requested 8/15/24	17.24.020.C	Expands allowed location for ground floor office uses in the C-R zoning district
CDP Waiver or Exclusion for J/ADUs	Reviewed 7/23/24 – No changes directed.	17.44.090.C and 17.74	17.44.090.C: Allows for waiver of CDP in non-appealable areas for ADUs 17.74.030.E.2: Allow waiver of CDP for ADUs that meet criteria
Flatwork/Hardscape	7/23/24: Do not create zoning permit for flatwork	-	-
Upper Floor Decks	2/1/24: Clarify 150 square feet is cumulative of all decks for FAR calculation. Allow deck on the second story at 15 feet setback instead of 20 feet. The privacy wall on upper story decks should be on a case-to-case basis changing “shall” to “may” be required by PC. Add examples of privacy screens to include opaque materials and vegetation.	17.16.030.B.11; 17.48.040.B.6	Amendments consistent with PC direction
Accessory Dwelling Units: State Law Conformance	Reviewed 7/23/24 – No changes directed.	17.74	Updates state law references, adds that front setback deviation permitted for 800 sq. ft. ADU; Clarifies that exceptions to standards to allow for 800 sq. ft. ADU may only be minimum necessary; Updates allowed height consistent with state law.
Parking for new SFDs	2/15/24, 7/23/24: Remove the covered parking space (1) for single-family dwelling units larger than 1,500 square feet. Limit required parking to 2 spaces.	17.76	Require no more than two parking spaces per single-family dwelling and remove requirement for covered parking, regardless of dwelling size.
Parking for SFD Remodels	Reviewed 7/23/24 – No changes directed.	Table. 17.76-2	As required by state law, adds note that additional parking is not required for additions and remodels to single-family homes that conform with building size standards.
Signs	Reviewed 7/23/24 – No changes directed.	Table 17.80-6	Reduces allow wall sign area in MU-N to match total sign area allowed in MU-N (Table 17.80-1)
Consistent Terminology - CDD	Reviewed 7/23/24 – No changes directed.	17.84.080.C	Replaces “CDD” with “community development director” for code consistency.
Historic Alteration Permits	Reviewed 7/23/24 – No changes directed.	17.84.070.C.2	Fixes numbering error.
Historic Preservation Incentives	Reviewed 7/23/24 – No changes directed.	17.84.090.D	Permit review authority approves permit fee reimbursement when acting on permit application.






Topic	Planning Commission Direction	Amendment Location	Amendment Description
Permit Time Limits and Extensions	Reviewed 7/23/24 – No changes directed.	17.56.080; 17.156.080.A	Allows the Planning Commission or City Council to establish an alternative permit expiration date when initially approving the permit. Allows the Planning Commission or City Council to approve two four-year extensions (eight years total) to permits.
Home Occupations	Reviewed 7/23/24 – No changes directed.	17.96.040.A	Allows home occupations that comply with standards by right without an administrative permit.
Wireless Communication Facilities	Reviewed 7/23/24 – No changes directed.	17.104	Update Federal CFR references throughout chapter.
Referral of Applications to Planning Commission	Reviewed 7/23/24 – No changes directed.	17.112.090	New section stating the community development may refer any discretionary decision to the Planning Commission.
Good Standing for Permit Review	No prior direction – review of draft amendments requested 8/15/24	17.112.020.C.3	Adds that City will not accept application for a property with an active code enforcement action unless correction of violation is included as part of the proposed project.
Glossary - Clerestory Window	Reviewed 7/23/24 – No changes directed.	17.160.020.C	Adds definition of clerestory window.
Definition – Takeout Food and Beverage	Reviewed 7/23/24 – No changes directed.	17.160.020.E	Excludes bars and lounges from definition of takeout food and beverage establishments.
Roof Decks	Reviewed 7/23/24 – No changes directed.	17.160.020.R.9	Clarifies that roof deck is the occupied roof space located above the top story of a structure.
R-1 Garage Setback	Reviewed 7/23/24 – No changes directed.	17.16.030.B.4	Removes minimum garage set back of 5 feet from front building wall. Minimum 20-foot garage setback from front property line in Table 17.16-2 remains.

Proposed Zoning Map Amendments

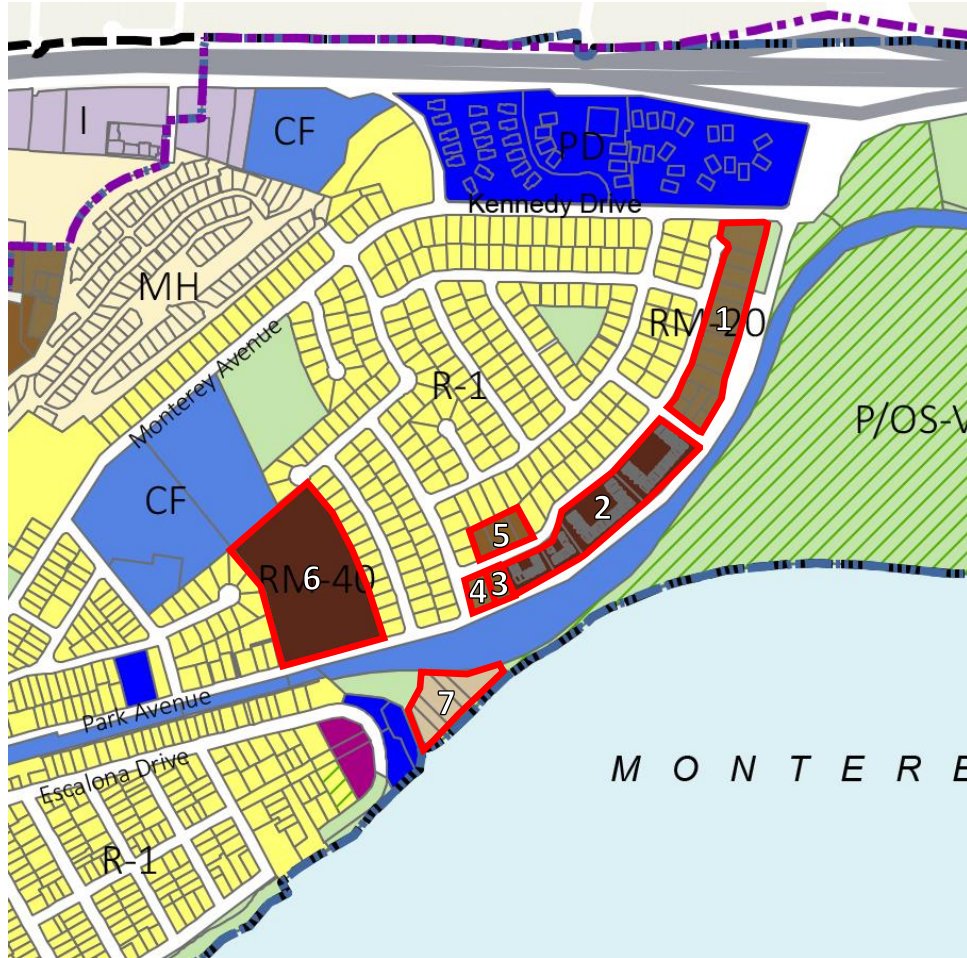
Item 5 A.





Multifamily Residential Subzones

	RM-10	Max. 10 du/ac
	RM-15	Max. 15 du/ac
	RM-20	Max. 20 du/ac
	RM-30	Max. 30 du/ac
	RM-40	Max. 40 du/ac

Northeast Area



ID	Existing	Proposed
1	RM-L	RM-20
2	RM-H	RM-40 [1]
3	RM-H	RM-30 [1]
4	RM-H	RM-20
5	RM-H	RM-30 [1]
6	RM-L	RM-40
7	RM-L	RM-10

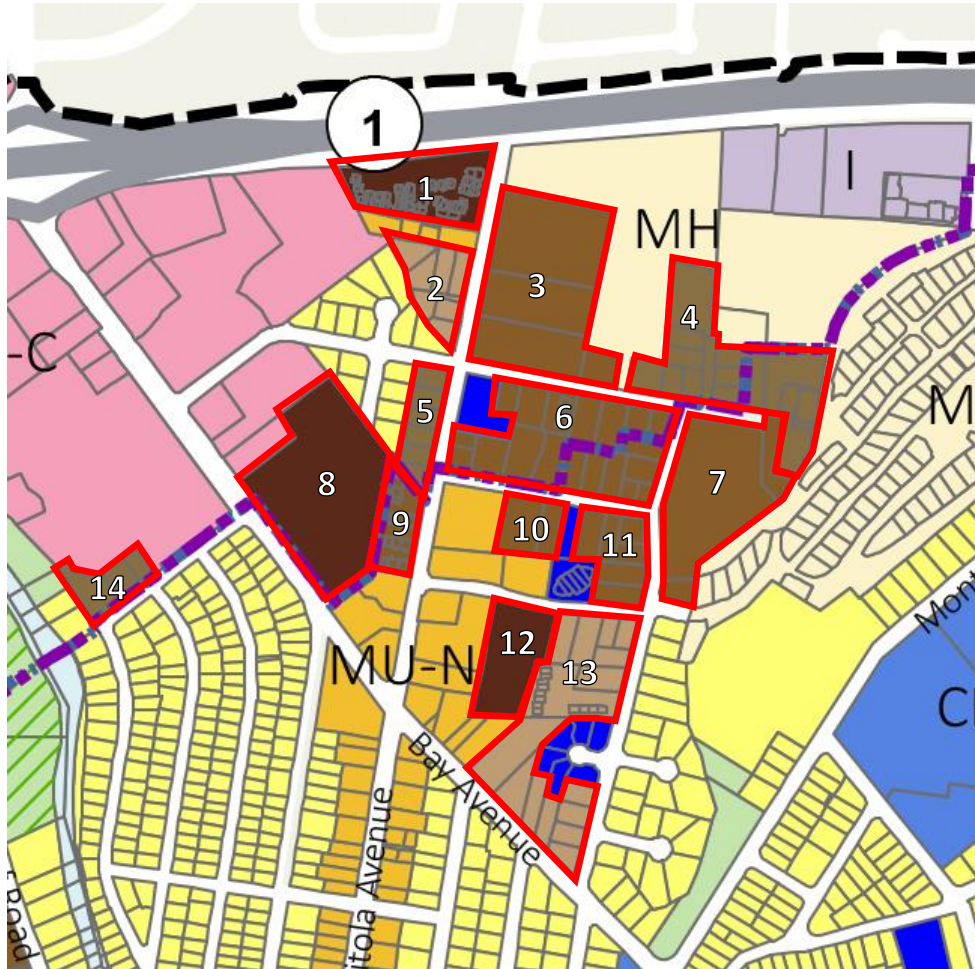
 = increased allowed density
 = no increase in allowed density

[1] = legalizes existing development density

Existing Maximum Density

- RM-L: 10 du/ac
- RM-M: 15 du/ac
- RM-H: 20 du/ac

North Central Area



Item 5 A.

ID	Existing	Proposed
1	RM-M	RM-40 [1]
2	RM-M	RM-15
3	RM-M	RM-30
4	RM-L	RM-20
5	RM-M	RM-20
6	RM-M	RM-30
7	RM-M	RM-30 [1]
8	RM-M	RM-40
9	RM-M	RM-30 [1]
10	RM-M	RM-30
11	RM-M	RM-30
12	RM-M	RM-40 [1]
13	RM-M	RM-15
14	RM-L	RM-20 [1]

= increased allowed density
 = no increase in allowed density

[1] = legalizes existing development density

Existing Maximum Density
 RM-L: 10 du/ac
 RM-M: 15 du/ac
 RM-H: 20 du/ac

Capitola Village

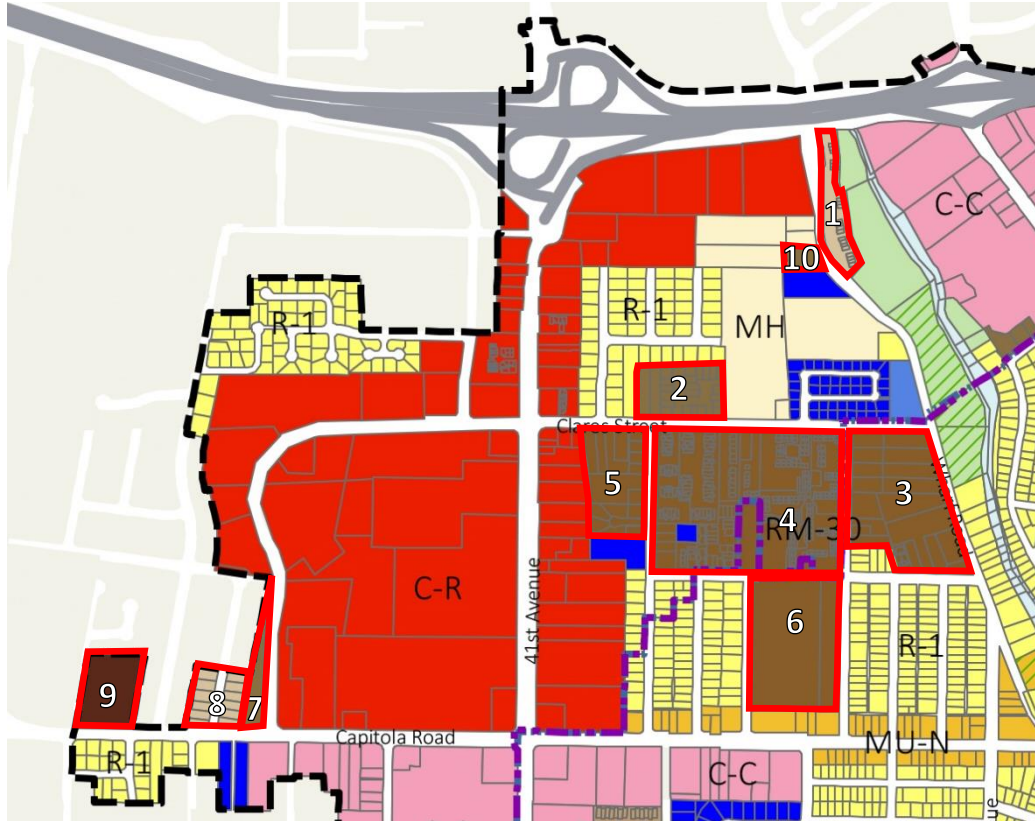


ID	Existing	Proposed
1	RM-L	RM-10
2	RM-L	RM-10

Existing Maximum Density

- RM-L: 10 du/ac
- RM-M: 15 du/ac
- RM-H: 20 du/ac

Northwest Area



ID	Existing	Proposed
1	RM-L	RM-10
2	RM-L	RM-20
3	RM-M	RM-30
4	RM-M	RM-30
5	RM-M	RM-30
6	RM-L	RM-30
7	RM-H	RM-20
8	RM-L	RM-10
9	RM-H	RM-40
10	RM-L	RM-10

 = increased allowed density

 = no increase in allowed density

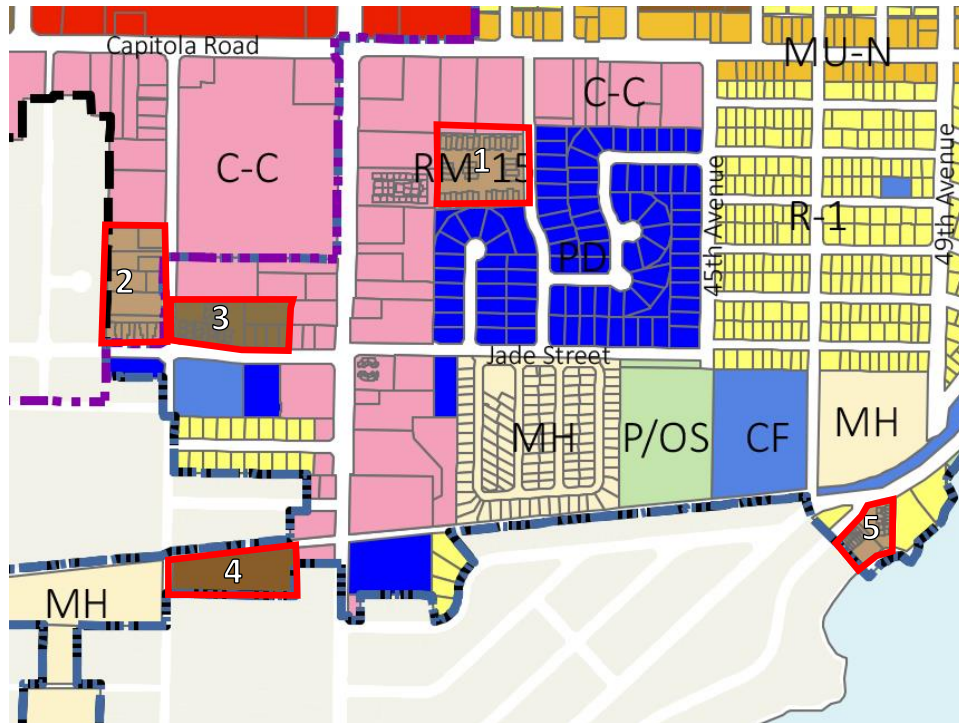
Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

Southwest Area



ID	Allowed	Proposed
1	RM-M	RM-15
2	RM-M	RM-15
3	RM-H	RM-20
4	RM-M	RM-30 [1]
5	RM-M	RM-15

 = increased allowed density

 = no increase in allowed density

[1] = legalizes existing development density

Existing Maximum Density

RM-L: 10 du/ac

RM-M: 15 du/ac

RM-H: 20 du/ac

RM ZONE PROPERTIES: ALLOWED, BUILT AND PROPOSED DENSITY

ID	Location	Density			Notes
		Allowed	Built	Proposed	
Northeast Area					
1	Balboa Ave Duplexes	10 du/ac	7 du/ac	20 du/ac	12,000 sq. ft. typical lots. 2 units per lot now allowed. 5 units per lot permitted at 20 du/ac
2	Park Ave Avenue Condos	20 du/ac	35 du/ac	40 du/ac	Legalize built density
3	809 Balboa	20 du/ac	25 du/ac	30 du/ac	Legalize built density
4	Cabrillo & Balboa	20 du/ac	6 du/ac	20 du/ac	Lower density for buffer/transition to single-family homes on Cabrillo
5	Balboa Fourplexes	20 du/ac	23 du/ac	30 du/ac	Limit density increase given surrounding single-family homes. Legalize built density.
6	Park Ave Apartments	10 du/ac	15 du/ac	40 du/ac	Large opportunity site. Incentivize redevelopment with high density
7	Grove Lane	10 du/ac	17 du/ac	10 du/ac	Coastal hazards. No density increase.
North Central Area					
1	Capitola Mansion	15 du/ac	34 du/ac	40 du/ac	Legalize built density
2	West side Capitola Ave, Hill St. to Capitola Ct.	15 du/ac	6 du/ac	15 du/ac	Single-family homes. Keep existing maximum density
3	900-912 Capitola Ave	15 du/ac	14 du/ac	30 du/ac	Capitola Terrace and 900 Capitola Ave apartments.
4	MF-L area accessed from Hill St.	10 du/ac	10 du/ac	20 du/ac	Small lot redevelopment opportunities. One unit now allowed on 7,000 sq. ft. lot; 3 units at 20 du/ac
5	West side Capitola Ave, Hill St. to Pine St	15 du/ac	15 du/ac	20 du/ac	Existing duplexes
6	Hill to Pine to Block	15 du/ac	7 du/ac	30 du/ac	Intensification opportunities on lots with single-family homes
7	Rosedale Apartments	15 du/ac	21 du/ac	30 du/ac	Large apartment complex. Potential for additional units.
8	Bay Ave Senior Housing	15 du/ac	23 du/ac	40 du/ac	Large senior housing complex. Potential for additional units.
9	West side Capitola Ave, south of Pine St	15 du/ac	29 du/ac	30 du/ac	Legalize built density

ID	Location	Density			Notes
		Allowed	Built	Proposed	
10	505 Pine	15 du/ac	13 du/ac	30 du/ac	Nine built units. 30 du/ac would allow 15 units on half-acre site
11	Pine/Rosedale/Plum	15 du/ac	7 du/ac	30 du/ac	Small lot redevelopment opportunities. 3 units now allowed on 11,000 sq. ft. lot; 7 units at 30 du/ac
12	501 Plum	15 du/ac	38 du/ac	40 du/ac	Legalize built density
13	Plum/Rosedale/Bay	15 du/ac	12 du/ac	15 du/ac	Maintain existing density as buffer/transition to surrounding single-family neighborhoods
14	Center Street	10 du/ac	16 du/ac	20 du/ac	Legalize built density
Capitola Village					
1	Village	10 du/ac	17 du/ac	10 du/ac	Maintain existing maximum density due to parking and circulation challenges
2	221 Central	10 du/ac	64 du/ac	10 du/ac	Maintain existing maximum density due to parking and circulation challenges
Northwest Area					
1	2050-2114 Wharf Road	10 du/ac	10 du/ac	10 du/ac	No further development potential due to environmental constraints on site
2	Cape Bay Colony	10 du/ac	10 du/ac	20 du/ac	Condominiums – redevelopment unlikely
3	Clares/46 th /Grace	15 du/ac	18 du/ac	30 du/ac	Apartment properties with intensification potential
4	Clares/42 nd /46 th /Grace	15 du/ac	17 du/ac	30 du/ac	Condominiums – redevelopment unlikely
5	Clares/42 nd /Pearson	15 du/ac	14 du/ac	30 du/ac	Redevelopment potential on lots with single-family homes. At 30 du/ac, 4 units possible on 6,000 sq. ft. lot
6	Capitola Gardens	10 du/ac	12 du/ac	30 du/ac	Large property with potential for additional units
7	Dakota Apartments	20 du/ac	18 du/ac	20 du/ac	Narrow parcel, additional units unlikely
8	Axford Road	10 du/ac	9 du/ac	10 du/ac	Single-family homes part of neighborhood extending into County
9	Landing at Capitola	20 du/ac	18 du/ac	40 du/ac	Large parcel on Capitola Road close to Mall
10	2205/2215 Wharf Road	10 du/ac	10 du/ac	10 du/ac	No density increase.
Southwest Area					
1	1505 42 nd Avenue	15 du/ac	15 du/ac	15 du/ac	Condominiums – redevelopment unlikely

ID	Location	Density			Notes
		Allowed	Built	Proposed	
2	NW corner Brommer 38 th	15 du/ac	13 du/ac	15 du/ac	Condominiums – redevelopment unlikely
3	NE corner Brommer 38 th	20 du/ac	12 du/ac	20 du/ac	Condominiums – redevelopment unlikely
4	1098 38 th Ave	15 du/ac	27 du/ac*	30 du/ac	Match density of approved affordable housing project.
5	Opal Cliff Drive	15 du/ac	29 du/ac	15 du/ac	Coastal hazards

ATTACHMENT 4

The draft Zoning Code amendments, published August 6, 2024, are available in the following locations:

1. Hard Copy at Capitola City Hall
2. Hard Copy at the Capitola Branch Library
3. Available on the City's website at:

<https://www.cityofcapitola.org/communitydevelopment/page/public-review-drafts-zoning-code-updates>

Subject: RE: High density housing in Capitola

From: jef <dingo8it@sbcglobal.net>
Sent: Tuesday, August 6, 2024 4:33:12 PM
To: City Council <citycouncil@ci.capitola.ca.us>
Subject: High density housing in Capitola

Hello, I have a question. I've been a resident of Capitola Gardens for over thirty years. Some time ago, maybe twenty years by now G&K, the owners of the complex planned on building five two story buildings on the property which would've also involved cutting down 120 trees here.

The residents here and the surrounding home owners fought against this plan. Finally, the Capitola Gardens property was removed from the high density building list.

Unfortunately, they've begun construction here adding two, three bedroom units with minimal loss of trees...so far. They call these apartments 'accessory dwelling units'.

Is this property back on the high density housing list?

Is G&K able to add these units because they are labeled 'accessory dwelling units' instead of apartments?

Those of us that have been here a long time know how G&K conducts their business. We're guessing they won't stop at two new units. Have they been given a limit to their building?

I can only imagine with the new "affordable" housing being built at the end of 44th Ave. and G&K adding units that things will get a bit more crowded here. Street parking etc..

So are we back on the high density building list?

It's a shame. Capitola has become so expensive, more crowded, there's less of a community feel. I had my car stolen a couple years ago off of 44th Ave..

There's not many green spaces left here. Hopefully G&K won't completely destroy this one.

Thank you for your time.

Jef Myrna

dingo8it@sbcglobal.net

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Jef Myrna

dingo8it@sbcglobal.net

To: Herlihy, Katie (kherlihy@ci.capitola.ca.us); City Council; PLANNING COMMISSION
Subject: RE: Capitola Currents Summer 24, #24

From: Roberta Herndon <cooksbooks13@gmail.com>
Sent: Thursday, August 8, 2024 9:05 PM
To: City Council <citycouncil@ci.capitola.ca.us>
Subject: Capitola Currents Summer 24, #24

I rent one of four small units on Rosedale Ave. I have been here many years as have my neighbors across the driveway . We are senior citizens living on fixed incomes , both households have a member with major medical issues that come with old age. if the current owner of this property sells to a builder intent on building apt/multi-family units we will be forced out of our homes.Should these zoning changes be approved ,What protection will be put in place for existing long term Capitola Residents at the addresses identified in this notice?

YOUR CURRENTS ISSUE ARRIVED TODAY, ALONG WITH A POSTED NOTICE AT THE DRIVEWAY TO OUR UNITS OF A PLANNING COMMISSION PUBLIC HEARING. THIS NOTICE GIVES ONE WEEK NOTICE OF THE HEARING DATE!!!!!!!!!!

PLEASE EXPLAIN WHY THIS MEETING NOTICE AND A MORE IN DEPTH EX[PLINATION OF THE PROPOSED CHANGE WAS NOT PROVIDED TO US IN YOUR PUBLICATION.
GIVEN THAT THERE WAS SPACE TO REPORT "HIGHLIGHTING THE PARK AT RISPOIN MANSION, 2024 ELECTION AND HELP KEEP OJR BAY HEALTHY"

ROBERTA HERNDON 735 ROSEDALE AVE. CAPITOLA UNIT #1

From: terre thomas <terra12@cruzio.com>
Sent: Friday, August 9, 2024 10:24 AM
To: PLANNING COMMISSION
Cc: Sesanto, Sean
Subject: Zoning Map Updates August 15th 600 Park Avenue Zoning Change

August 9, 2024

Please distribute:

To the Planning Commission, Planning Staff, and Packet for August 15th.

Re: Notice of Proposed Change of Zone

From: Terre Thomas, 516 Park Ave,

Resident Abutting the 600 Park Ave Apartments

Public Comment: Regarding the 600 Park Ave. Apartment Parcel

Change in zoning designation

I would like to strongly request that you reconsider the proposed zoning change from 40 to RM-20. There is no other parcel being considered with this extreme change from RM-L (10 units per acre) to RM-40. This proposal would quadruple the number of allowable units, unlike any other property considered for a zoning change. That would change the number of units from approximately 80 to 270, in buildings equivalent to four stories high, with at least 2 cars per unit that must be provided for onsite. That is an unbelievable jump, considering there are 18 single family homes that border this property, unlike any other parcel being considered for a change.

The adjoining Single Family Residences, including ourselves, were just notified on the 7th by mail of this draconian change in zoning, and only one 8 ½ x 11 inch notice was recently posted at the entrance to said property. I might also say that according to the General Plan, Notices of Hearing for Zoning Map Amendments must be printed in type 1 ½ inches high. The single notice only has lettering less than ½ inch. Consequently, the City has inappropriately notified the public of this change of zoning, and that must be rectified wherever it occurred.

Once again, it is very important that you reconsider this density change to the 600 Park Ave Apartments from 40 units to 20 units. That would still double the number of units currently zoned for. And you must also take into consideration the current 80 existing units of low and moderate income renters that would be evicted as a result of any pending development, and add them to the number of needed additional units in those categories, because I don't believe that any development here would accommodate their replacement, as required.

Thank you.

From: Herlihy, Katie (kherlihy@ci.capitola.ca.us)
Sent: Friday, August 9, 2024 9:15 AM
To: Woodmansee, Chloe; Sesanto, Sean; Brown, Kristen
Subject: FW: Please explain proposed change of zone

From: Bay Ave Sr - Resident Servic
Sent: Thursday, August 8, 2024 5:30 PM
To: Woodmansee, Chloe <cwoodmansee@ci.capitola.ca.us>
Cc: Brown, Kristen <thekristenbrown@gmail.com>
Subject: Please explain proposed change of zone
Importance: High

Hi Kristen & Chloe,

Today a sign was placed outside of Bay Avenue Senior Apartments 750 Bay Ave regarding notice of planning commission public hearing - notice of proposed change of zone.

This is the first we've heard of it and of course the seniors are freaking out. Can you please clarify?

Thanks,

Lisa Smith
831-239-7468

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