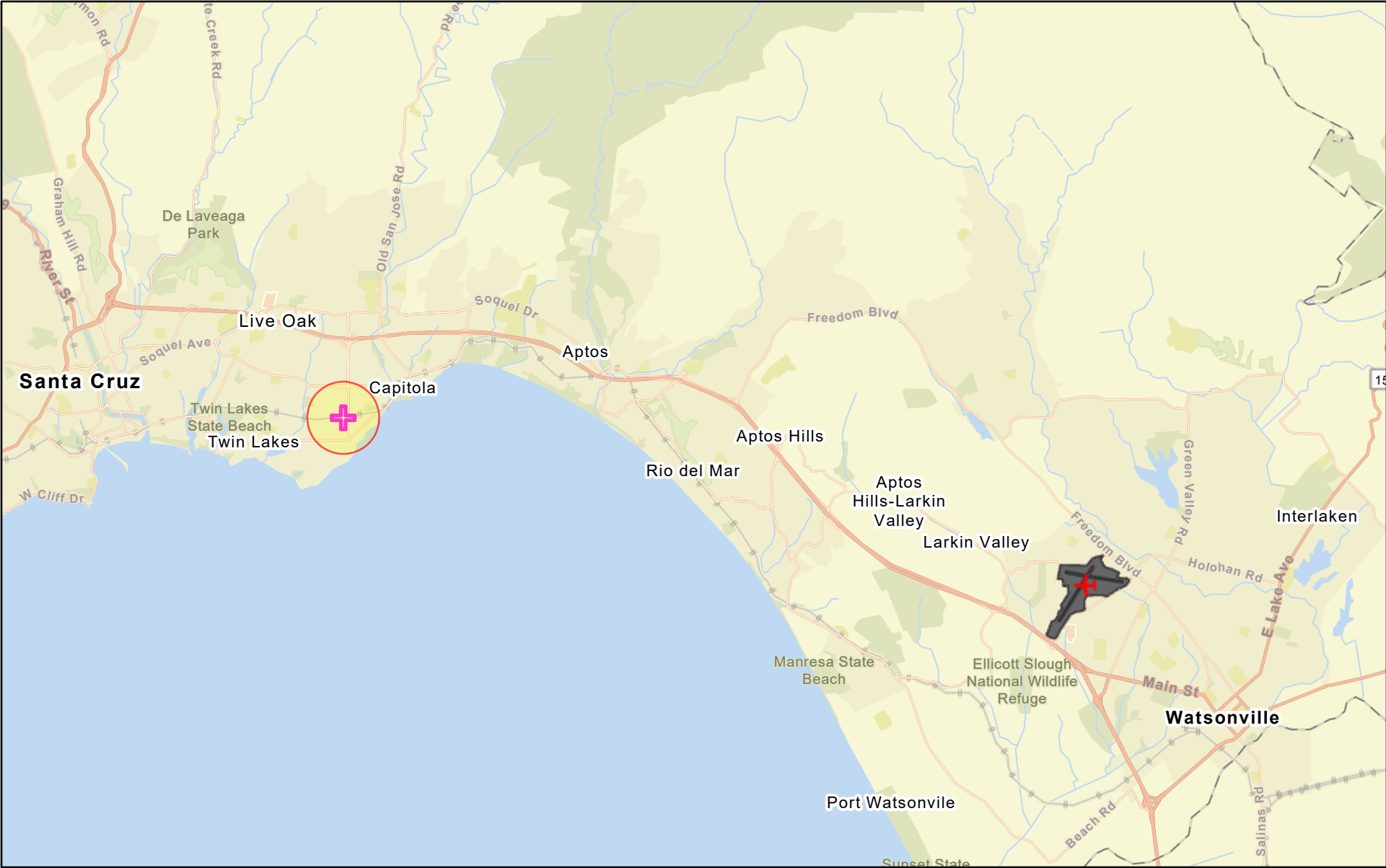






ATTACHMENT 1

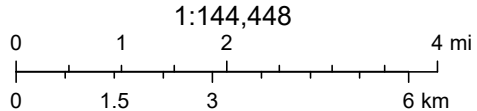
Airport Distances

Airports within 2,500 feet



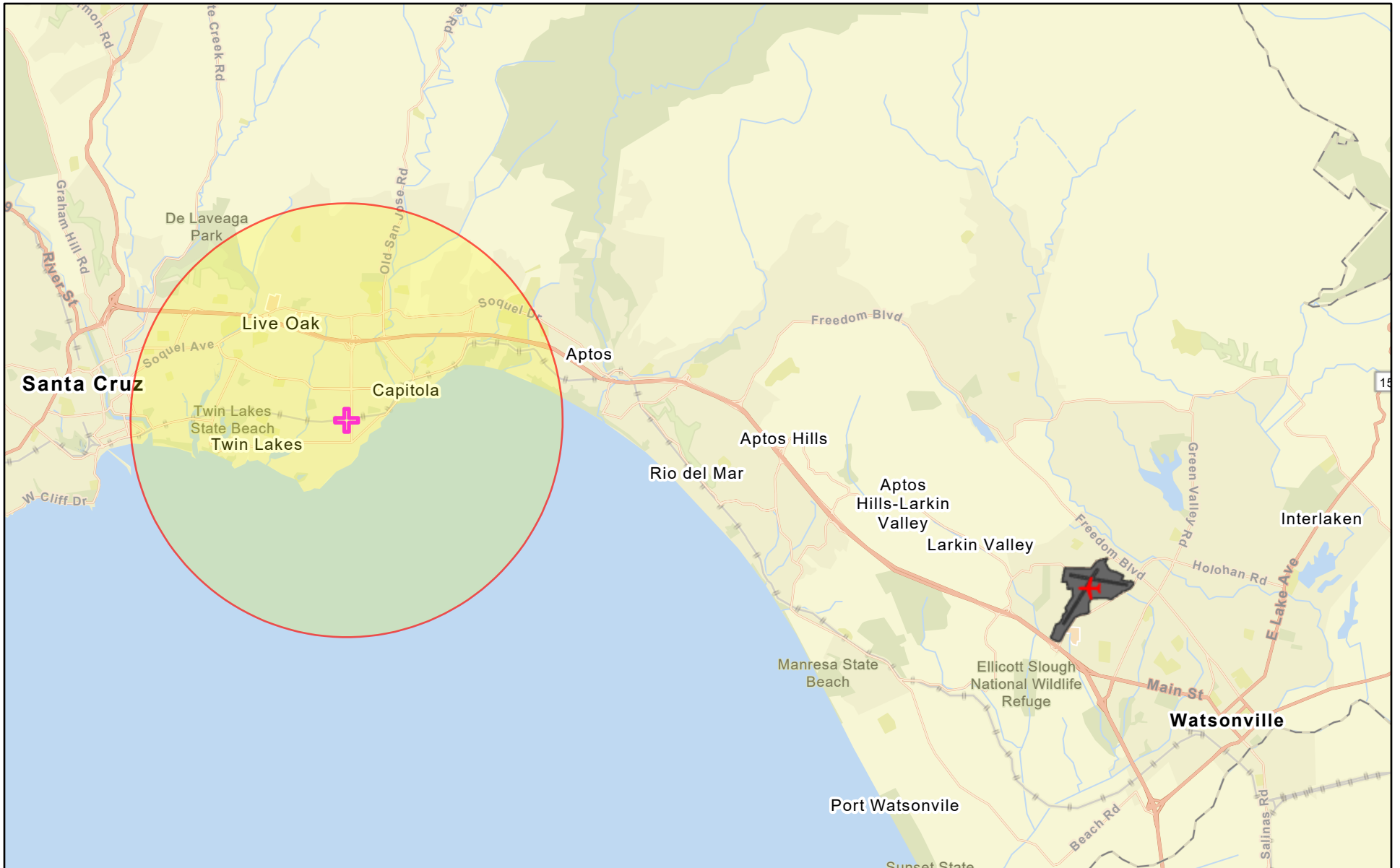
February 8, 2024

-  Project Buffer
-  Project Site
-  Airport Points
-  Airport Polygons







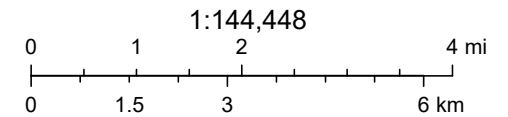
County of Santa Clara, California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land

Airports within 15,000 feet



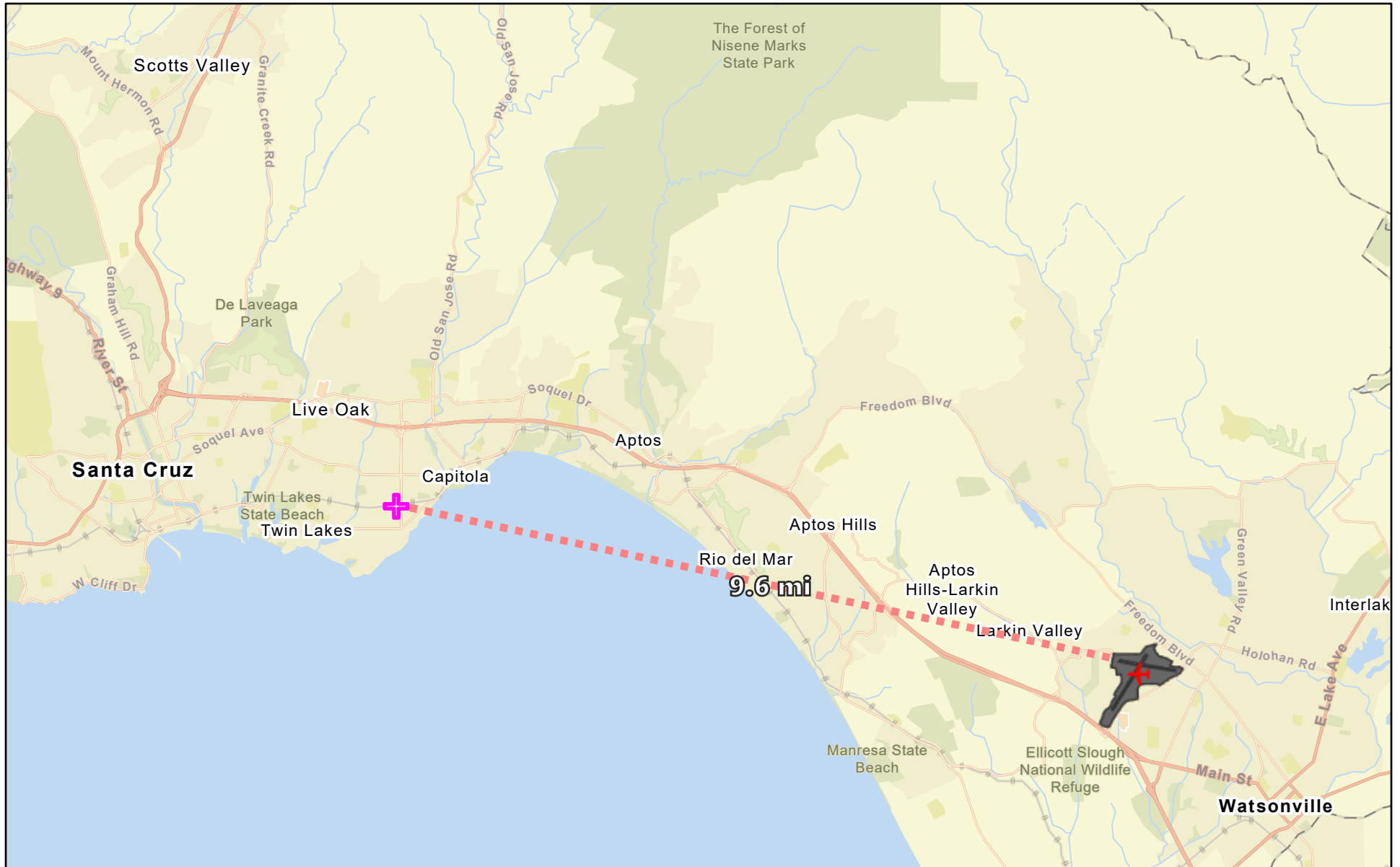
February 8, 2024

-  Project Buffer
-  Project Site
-  Airport Points
-  Airport Polygons



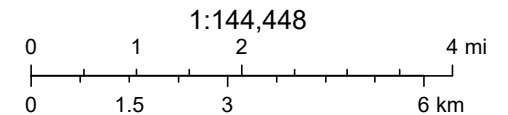
County of Santa Clara, California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land

Distance to Watsonville Municipal Airport



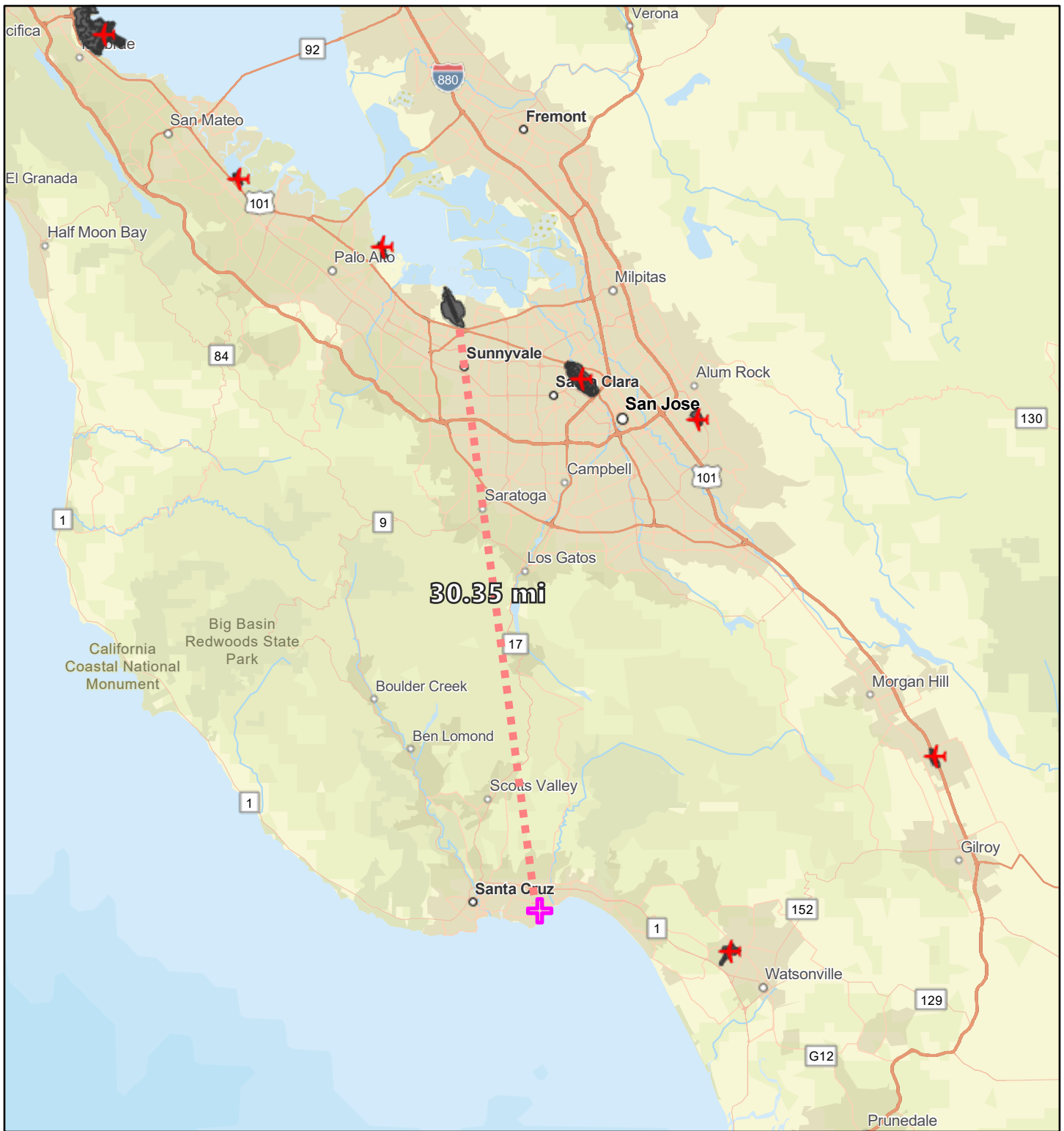
February 7, 2024

-  Project Site
-  Airport Points
-  Airport Polygons






County of Santa Clara, California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land

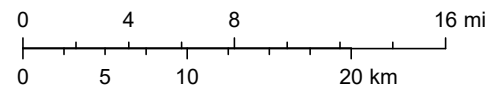
Distance to Moffett Federal Airfield



February 21, 2024

1:577,791

-  Project Site
-  Airport Points
-  Airport Polygons



EPA OEI, County of Santa Clara, California State Parks, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USFWS

ATTACHMENT 2

Coastal Barrier Resources System Maps



U.S. Fish and Wildlife Service Coastal Barrier Resources System

1098 38th Avenue



February 8, 2024

 CBRS Buffer Zone
  System Unit

CBRS Units

 Otherwise Protected Area
  Project Site

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/library/collections/official-coastal-barrier-resources-system-maps>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

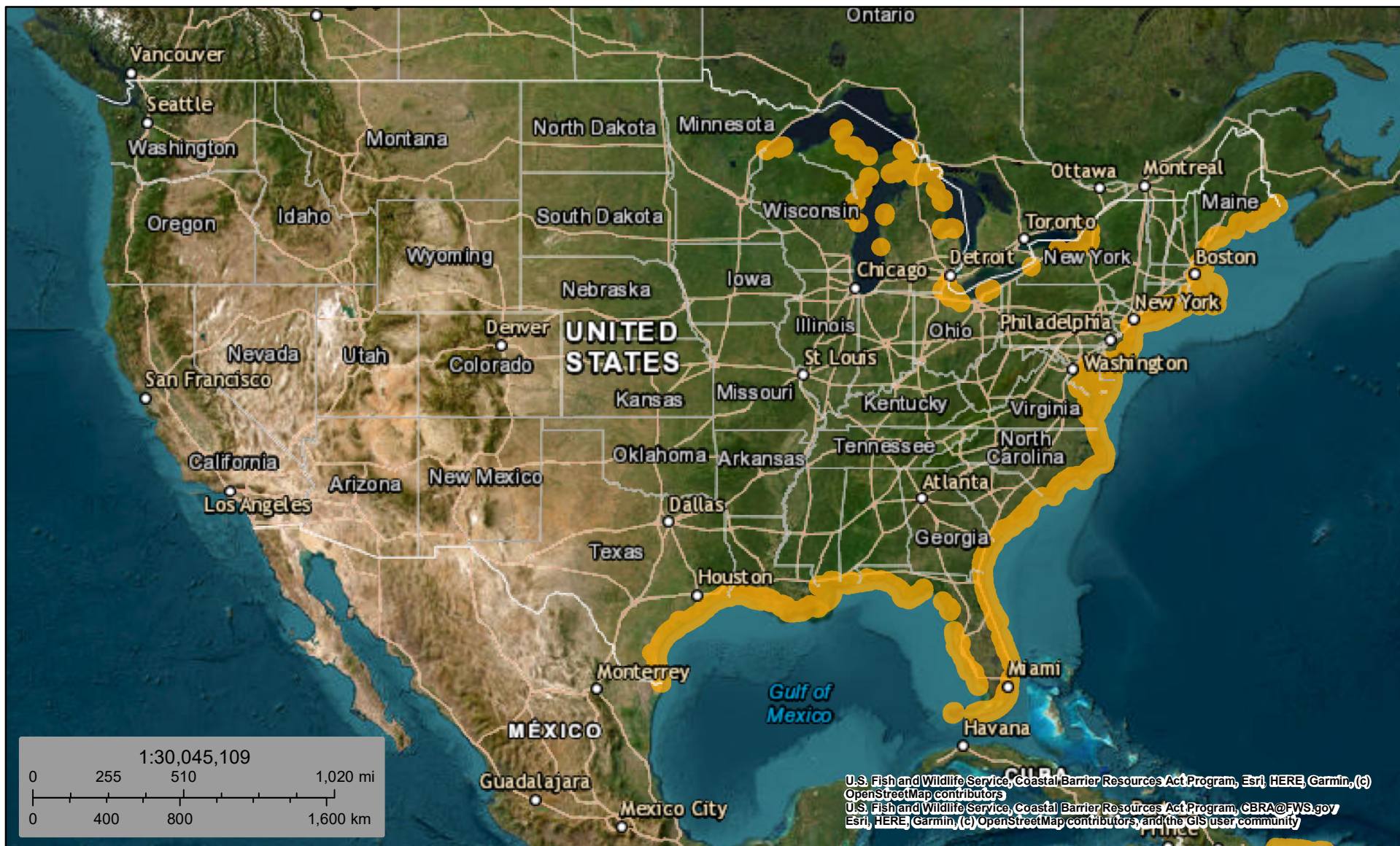
The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward



U.S. Fish and Wildlife Service Coastal Barrier Resources System

United States



February 8, 2024

Generalized Units

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/library/collections/official-coastal-barrier-resources-system-maps>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward

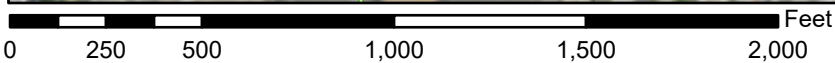
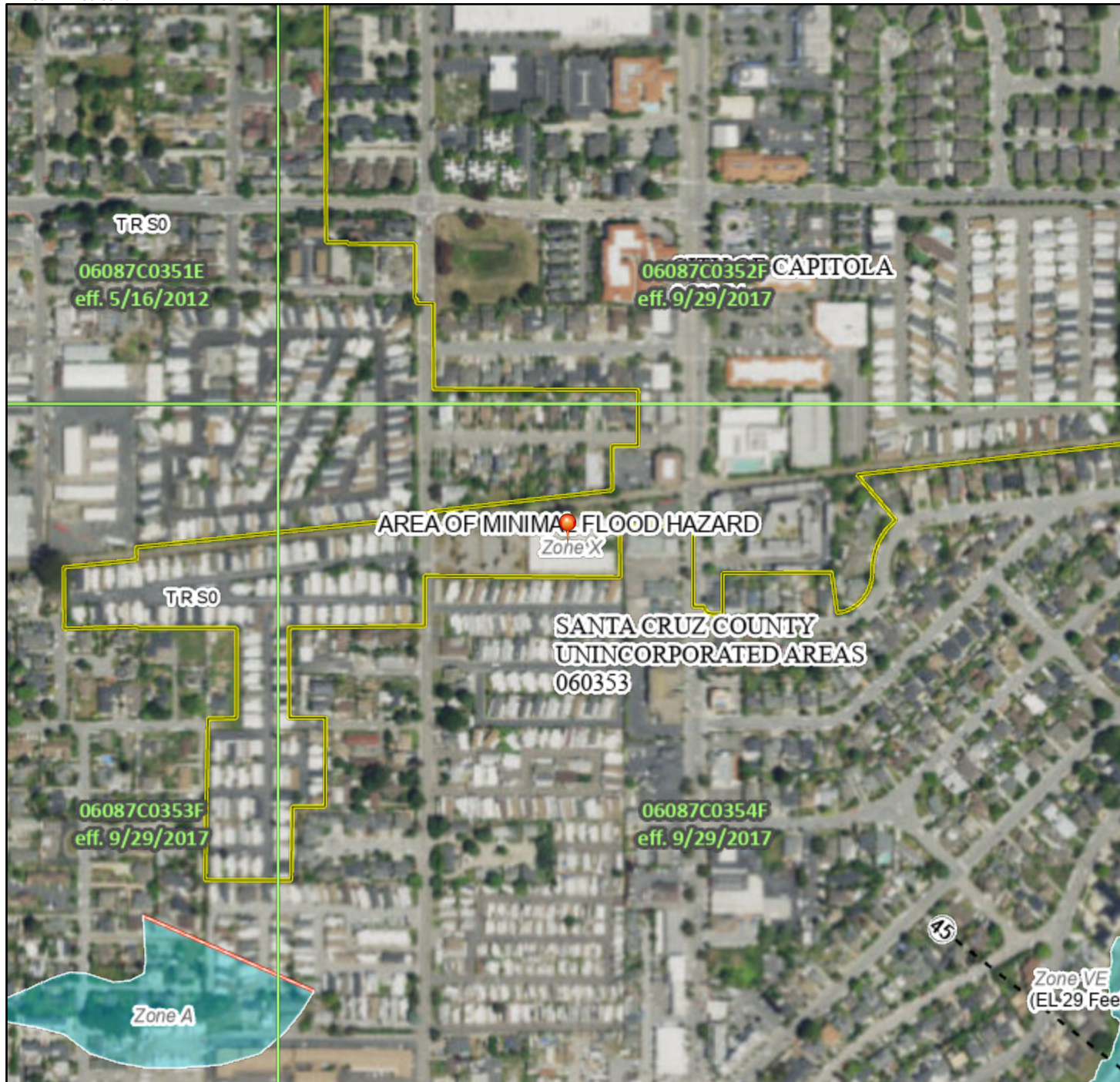
ATTACHMENT 3

Federal Emergency Management Agency Flood Insurance Rate Map

National Flood Hazard Layer FIRMette



121°58'17"W 36°58'18"N



1:6,000

121°57'39"W 36°57'49"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/7/2024 at 5:38 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

ATTACHMENT 4

Coastal Zone Management Boundary

Project Site Location within California Coastal Zone



Source: California Coastal Commission Coastal Zone Boundary Maps
<https://www.coastal.ca.gov/maps/czb/>

✚ Project Site — Coastal Zone Boundary

ATTACHMENT 5

Capitola Planning Commission Agenda Report Local Coastal Program Consistency Findings

Capitola Planning Commission

Agenda Report

Meeting: April 4, 2024

From: Community Development Department

Address: 1098 38th Avenue



Project Description: Permit #23-0525 Design Permit, Coastal Development Permit, and Density Bonus request for a 52-unit, 100% affordable housing project on a 1.977-acre site on the east side of 38th Avenue, just south of the railroad crossing. The project includes a mix of 1-bedroom, 2-bedroom, and 3-bedroom apartment units configured in 4 buildings. Three of the proposed buildings have 3 floors while one building has 2 floors. The property is located in the Medium Density Multi-Family Residential (RM-M) Zoning District. The project includes a density bonus, 4 incentives/concessions, and reduced parking requirements pursuant to California Government Code sections 65915-65918. This project is in the Coastal Zone and requires a Coastal Development Permit.

Recommended Action: Staff recommends that the Planning Commission take the following actions:

1. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (In-Fill Development);
2. Approve the applicant's request for a density bonus concession and reduced parking under State Density Bonus Law, based on the findings and analysis included in this staff report and subject to the included Conditions of Approval;
3. Approve the Design Permit, pursuant to the findings and analysis included in this staff report and subject to the included Conditions of Approval; and
4. Approve the Coastal Development Permit, pursuant to the findings and analysis included in this staff report and subject to the included Conditions of Approval.

Property Owner & Representative: MP Rail Trail Associates L.P.

Applicant Proposal: The project consists of a Design Permit, Coastal Development Permit, and a Density Bonus requesting construction of a 52-unit, 100% affordable rental housing project on an approximate 1.977-acre site on the east side of 38th Avenue, just south of the railroad crossing, in the southwest corner of Capitola. The site was previously occupied by a skilled nursing facility. The skilled nursing facility building was demolished in 2022 and the site is currently vacant. The project consists of a mix of 1-bedroom, 2-bedroom, and 3-bedroom apartment units, configured in 4 buildings, totaling 60,805 square feet.

The project site is located in the RM-M (Multi-Family Residential, Medium Density) Zoning District. Surrounding land uses and structures include a mix of commercial developments, 3 mobile home parks, and single-family homes.

The proposed buildings are laid out in two staggered L-shape formations on the property surrounding the exterior common area uses. The architectural style is described as coastal contemporary with pitched gable roofs, articulated facades patios/balconies, and breezeways. Vehicular access to the property is accessed by a two-way drive aisle off of 38th Avenue and runs along the south property line to a surface parking lot at the rear of the property. All ground floor units will be accessible units to remove the cost of elevator installation.

The project will include sustainability features including low water use landscaping, on-site stormwater retention areas, designated parking spaces for electric vehicle charging, all electrical appliances, all electric heating and cooling, and long-term and short-term bike parking. The project will also provide approximately 4,265 square feet of support uses, including a community room, kitchen, two laundry rooms, resident services room, mail room, and a property manager's office. Exterior amenities include a multi-use landscaped exterior plaza with a dedicated children's play area, community dining and game area, long-term bike storage area, a fenced dog run, and a vegetable garden. The breakdown of unit type and affordability category is provided in the table below.

Affordability Unit Mix/Income Levels:

<u>Unit Size</u>	<u>%AMI</u>	<u>Units</u>	<u>Gross Rent</u>	<u>Utility Allowance</u>	<u>Monthly Rent</u>	<u>Income Limits</u>	<u>Income Level</u>
Studio/1BA	30	1	\$864	\$163	\$701	\$39,540	Extremely Low-Income
Studio/1BA	40	2	\$1,152	\$163	\$989	\$52,720	Very Low-Income
Studio/1BA	50	1	\$1,441	\$163	\$1,278	\$65,900	Low-Income
1 BD/ 1 BA	30	4	\$926	\$182	\$744	\$44,490	Extremely Low-Income
1 BD/ 1 BA	40	1	\$1,235	\$182	\$1,053	\$59,320	Very Low-Income
1 BD/ 1 BA	50	4	\$1,544	\$182	\$1,362	\$74,150	Low-Income
1 BD/ 1 BA	60	8	\$1,852	\$182	\$1,670	\$88,980	Low-Income
2 BD/ 1 BA	30	4	\$1,111	\$240	\$871	\$53,370	Extremely Low-Income
2 BD/ 1 BA	40	1	\$1,482	\$240	\$1,242	\$71,160	Very Low-Income
2 BD/ 1 BA	50	4	\$1,853	\$240	\$1,613	\$88,950	Low-Income
2 BD/ 1 BA	60	1	\$2,223	\$240	\$1,983	\$106,740	Low-Income
2 BD/ 2 BA	60	3	\$2,223	\$240	\$1,983	\$106,740	Low-Income
3 BD/ 2 BA	30	4	\$1,284	\$305	\$979	\$61,290	Extremely Low-Income
3 BD/ 2 BA	40	2	\$1,712	\$305	\$1,407	\$81,720	Very Low-Income
3 BD/ 2 BA	50	3	\$2,141	\$305	\$1,836	\$102,150	Low-Income
3 BD/ 2 BA	60	4	\$2,569	\$305	\$2,264	\$122,580	Low-Income

*Unit mix and income thresholds are subject to minor changes depending on final project funding and amendments to regional income limits.

Based on the above affordability levels, the applicant requests a Density Bonus pursuant to California Government Code sections 65915 – 65918, allowing for up to 180% of the base zoning density allowance for projects that are 100% affordable, which yields the proposed 52 units.

The applicant is also requesting four incentives/concessions (State Density Bonus Law allows up to four concessions for 100% affordable projects) related to private open space requirements for each apartment unit, an increase to the building height limit (from 30 feet to 40 feet 6 inches), reduction in replacement planting ratio, and reduction in the percentage of parking lot landscaping (Attachment 1 - Project Plans).

The applicant is also requesting reduced parking as allowed by State Density Bonus Law ratios, for a total of 70 parking spaces. The total parking count includes 4 EV chargers with 24 spaces being EV-capable or EV-ready. Bike parking is proposed with one long-term bike parking space per unit and seven short-term bike parking spaces for the complex.

Background: The previous skilled nursing facility building was demolished in 2022. The prior development included a single-story building of approximately 30,000 square feet.

MidPen Housing purchased the site from the Central California Alliance for Health (CCAH) in 2022. MidPen and CCAH are partnering on several other Monterey and Santa Cruz County developments to provide supportive housing for high utilizers of the health care system.

On December 20, 2024, the Planning Department received the subject application.

Development and Design Review: On March 20, 2024, Development and Design Review staff reviewed the application and provided the applicant with the following direction:

Public Works Representatives, Erika Senyk and Kailash Mozumder: advised that HydroScience was issuing conditions of approval for the drainage plan and that the relocated crosswalk would need to be closer to the railroad crossing to improve visibility and safety.

Building Official, Eric Martin: asked if the applicant had contacted utility purveyors to discuss how to cap existing utilities at the property line.

Senior Planner, Brian Froelich: asked the applicant to provide the breakdown of the unit mix and affordability levels.

Following the meeting, the applicant confirmed that utilities had been contacted to the extent possible and provided a unit mix and affordability breakdown. The applicant also agreed that moving the crosswalk outside the City boundary would complicate the project and agreed with the location closer to the railroad crossing.

Development Standards: The following table outlines the Zoning Code requirements for development in the Medium Density Multi-Family Residential (RM-M) Zoning District. The proposed project complies with the standards of the RM-M or requests concessions under the Density Bonus Law as noted below.

	RM-M	Proposed	Compliance
Site Requirements			
Building Coverage	40% 34,447 sf	26% 22,473 sf	Yes
Density	1 unit per 2,900sf 15 per acre 100%	1 unit per 1,650 sf 26 per acre 180%	Density Bonus allows 180% of permitted density for 100% affordable projects

Parking	2.5 per unit (1 covered) 130 total Max. 30% compact 5% EV	1.35 per unit 70 uncovered 10% compact 4 EV 7 EV capable 17 EV ready	Yes Govt. Code 65915(p)(1) 1 per 1BD unit 1.5 per 2BD & 3BD units 66 Required
Structure Requirements			
Setbacks			
Front (38 th Ave.)	15 ft.	18 ft.	Yes
Rear	15% of lot depth 77 ft.	131 ft.	Yes
Interior Side –north (Railroad)	10% of lot width (max. 7 ft.)	7 ft.	Yes
Interior Side - south	10% of lot width (max. 7 ft.)	29.5 ft.	Yes
Height, Maximum	30 ft.	40.5 ft.	Yes - With Concession
Residential Transition Standards – Daylight Plane	No structure shall extend above or beyond a daylight plane having a height of twenty-five feet at the setback (7 ft.) from the residential property line and extending into the parcel at an angle of forty-five degrees.	Property to the south is residentially zoned. Building C is 37 ft tall at 24 ft. from property line. The daylight plane at this location is 42 ft.	Yes
Landscaped Area	5%	29%	Yes
Common Open Space	15%	26%	Yes
Private Open Space	48 sf per individual unit	0%	Yes - With Concession

Discussion: This section outlines the project's consistency with the Zoning Code and applicable state law and further describes the proposed development; evaluates the project architecture, landscaping and exterior lighting, trees, and transportation; and provides a summary of the environmental review process that was completed for the project.

Application of State Density Bonus Law

State Density Bonus

The California Density Bonus Law (Government Code 65915-65918) was first enacted in 1979. Since 2019, the California Legislature has further amended and expanded the law with increased options and benefits for developers and reduced regulatory authority for local government. The subject property is in the RM-M zoning district that allows for multi-family uses by right. The RM-M zone regulates building coverage, setbacks, height, and limits density to one unit per 2,900 square feet of lot area. The site is 86,118 square feet and yields 29 units with the base zoning density ratio.

The applicant is requesting consideration of additional density pursuant to Density Bonus Law that allows up to 180% of the base zoning density allowance for projects that are 100% affordable, which yields the proposed 52 units. (Attachment 6 - Government Code 65915-65918)

Incentives/Concessions

With the provision of 100% affordable units, the project is eligible for four incentives/concessions, which are considered a reduction in site development standards, a modification of Zoning Code requirements, or architectural design requirements that result in identifiable and actual cost reductions for the project (Government Code § 65915). Below is a summary of the proposed concessions:

- Building Height – increase from 30 feet tall to 40.5 feet tall
- Private Open Space – omission of 48 square foot per unit requirement
- Tree Mitigation Planting Ratio – reduction from the 2:1 requirement
- Parking Lot Landscape Percentage – reduction from the 20% requirement

Pursuant to Government Code § 65915(d), a city is required to grant requested incentives/concessions unless it makes a written finding based on substantial evidence that: 1) the concession does not result in identifiable and actual cost reductions to provide for the affordable housing; 2) the concession would create a specific adverse impact to health, safety, the physical environment or historic resources for which there is no feasible mitigation; or 3) the concession is contrary to federal or state law. A “specific, adverse impact” means “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (§ 65589.5(d)(2)). Conditions that would have a specific, adverse impact upon the public health and safety “arise infrequently.” In addition, Government Code section 65915, subdivision (r) states: “this chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.”

Height

Pursuant to Municipal Code Section 17.48.020.A, height is measured as the vertical distance from the assumed ground surface to the highest point of the building. The existing topography has a very slight upslope of five feet from the southwest corner to the northeast corner and can be described as generally flat. The proposed grading plan shows cut and fill to prep level building pads and for vehicular circulation and parking. The applicant proposes a concession to the maximum height of 30 feet for the RM-M district to allow up to 40.5 feet, which accommodates three floors and an articulated roof design. All buildings comply with the transitional standards as outlined below.

Private Open Space

Section 17.16.030 requires that 50% of the units in a multi-family development have at least 48 square feet of private open space. The applicant has planned for extensive communal open space areas and uses and is requesting use of a concession to forgo this requirement due to the design and construction costs of providing both public and private open space and amenities for tenants.

Parking Lot Landscape Percentage

The new parking lot includes 70 parking spaces and is required to be 20% landscaped with one shade tree per every five parking spaces (14). The applicant is proposing 16 trees in proximity to the parking lot to exceed the shading requirement. The proposed parking lot areas are 18,350 square feet. The applicant is proposing landscape breaks and island areas in the new parking lot area that will provide 1,930 square feet (10.5%), which is short of the 20% requirement. The applicant proposes a concession to reduce the parking lot landscape percentage requirement.

Tree Replacement Ratio

The site contains 43 existing trees and the applicant is proposing removal of all the trees. The existing trees range in size from four to 30 inches in diameter at breast height (DBH).

The trees proposed for removal are in locations critical to project feasibility (circulation, buildings, and drainage) and the most common species are palms (27) and paperbark (9) trees. Mitigation planting is typically a 2:1 ratio of 24" box trees. The applicant has requested a concession to the typical mitigation and instead proposes a landscape plan that includes 71 total replacement trees (1:1.65) and will provide 43% canopy coverage at maturity, which far exceeds the city's goal of 15% canopy for each parcel. The majority (51) of the replacement trees will be 24" box sized.

It is staff's assessment that the requested incentives/concessions are appropriate and will result in identifiable and actual cost reductions consistent with the State Density Bonus Law and the City's ministerial requirements with respect to those requests. The project is also conditioned to comply with the provisions for affordable housing under Government Code § 65915.

Reduced Parking Requirements

The proposed parking lot is located to the rear of the multi-family buildings, which is preferred per Section 17.20.040 E. The zoning ordinance requires 2.5 parking spaces per multi-family unit, totaling 130 parking spaces for the proposed project. Pursuant to Government Code section 65915(p)(1), upon the request of the developer, a city shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, of a development meeting the density bonus criteria that exceeds the following ratios:

- 1 parking space per studio or 1 bedroom
- 1.5 parking spaces per 2- & 3-bedroom units

As a 100% affordable density bonus project, the project qualifies for reduced parking requirements subject to state-level parking ratios. Following the state's ratios and applying them to the proposed unit mix yields a requirement for 66 parking spaces. The applicant is proposing 70 parking spaces and therefore satisfies this requirement.

The proposal also includes 4 EV chargers with 24 additional spaces that are EV-capable and EV-ready. Bike parking meets standards with one long-term parking space per unit and seven short-term parking spaces.

Additional Development Requirements

Residential Transitions Standards

The standard for Daylight Plane is as follows: No structure shall extend above or beyond a daylight plane having a height of twenty-five feet at the setback from the residential property line and extending into the parcel at an angle of forty-five degrees.

Staff Analysis: The applicant has requested the use of a concession for building height up to 40.5 feet where 30 feet is the standard. The property to the south is a residentially zoned mobile home park and daylight plane standards are applicable. Building C is 37 feet tall at 24 feet from the property line. The daylight plane at this location is 42 feet in height. This is the closest of any of the buildings to the daylight plane. In summary, the project complies with the daylight plane requirement and the applicant is using a concession to exceed the height limit.

Design Review and Objective Standards

The proposed architectural design is "Coastal Contemporary", with materials consisting of board and batten, lap siding, shingle siding, gray vinyl windows, and asphalt shingle roof. Each of the buildings incorporates a varied accent color theme to add visual interest and distinction. All roofs are fully sloped with no mechanical wells. Roof slopes primarily follow a 3:12 slope, except for the gable ends that feature a 5:12 roof slope. The applicant anticipates mounting solar panels on the sloped roofs.

Multifamily residential projects necessitate a review of the design by a City-contracted design professional and issuance of a design permit by the Planning Commission. RRM Design was contracted by City staff to complete the third-party review of the project for an overall architectural evaluation and review of the City's Objective Standards for Multifamily Residential in Chapter 17.82. RRM's review memo is included as Attachment 4 and the applicant's responses are included as Attachment 5. A highlight of the applicant's responses to RRM's comments are below:

- Added railings to the street-facing porches.
- Added windows and massing breaks in several locations.
- Added color changes and trim to add vertical articulation.
- Added wood trim to surround all windows.
- Modified columns to be wider with a solid base at street-facing porches.
- Extended the screening tree line along the south property line.

Signs

The application does not include signs. For multifamily properties a Master Sign Permit is required for one or more signs, is limited to 20 square feet total, and requires Planning Commission review.

Landscaping and Lighting

Under CMC 17.72.050, parcels within the RM-M zoning district must have landscaping along all property frontages. Residentially zoned parcels do not have a minimum percentage requirement. The proposed landscape plan includes landscaping throughout the project site, so complies with the landscaped area requirement. The landscape irrigation system is required to be on a separate dedicated water meter (Section 17.72.050 B2).

The applicant demonstrated compliance with the Soquel Creek Water District's Maximum Allowable Water Use as required by Section 17.72.060 B1 (plan sheet PL3.2).

Landscape lighting is proposed throughout the site and complies with outdoor lighting standards pursuant to 17.96.110. All lighting will be down cast and have shields, cutoffs, or frosted lenses to prevent light trespass. All light standards in the parking lot will be less than 15 feet tall.

Storm Drainage

The storm drain design is categorized as a Tier 4 project, per the City's Stormwater Technical Guide. Tier 4 development projects create and replace 22,500 square feet or more of impervious surface and need to meet the requirements of State Resolution No. R3-2013-0032.

Tier 4 projects must design for the following:

- Meet all Tier 1 to Tier 4 Performance Requirements.
- Treat runoff onsite with an appropriately sized retention system (8,316 cubic feet).
- Prevent any offsite discharge for 95th percentile rainfall events using Stormwater Control Measures.
- Low Impact Design which directs runoff from impervious surface to bio retention and landscaped areas.
- Control peak flows to not exceed pre-project flows for the 2-year through 10-year events.

The project was plan checked by a consultant, Hydrosience Engineers Inc., to ensure compliance with the following requirements:

- Surface stormwater is directed into 18 below-grade detention chambers.
- The total volume of bioretention can accommodate a storm event that delivers 1.9 inches of rain.

HydroScience concluded that the project concept and preliminary design appear feasible, but requested additional information to verify the Post Construction Monitoring requirements and provided recommended conditions of approval.

Traffic Analysis

The project would not result in any significant effects relating to traffic. The project is a 100% affordable housing project, which is screened out (exempt) from traffic-vehicle miles traveled (VMT) review. The City's adopted VMT threshold and accompanying guidelines follow CEQA Guidelines Section 15063(c)(3)(C) and the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, which allows for the development of "screening criteria" that can be used to identify projects that are not expected to cause a significant impact on transportation without conducting a detailed VMT analysis. Affordable residential development is screened out; the OPR Technical Advisory provides data to support the conclusion that adding affordable housing to infill locations generally improves jobs-housing match, in turn, shortening commutes and reducing VMT. Accordingly, Capitola's screening criteria provide that projects that are a 100% affordable residential development or the residential component of a mixed-use development, in infill locations shall be assumed to have a less than significant impact on transportation for CEQA purposes. The project is both a 100% affordable residential project and located in an infill location.

Notwithstanding the exempt status of affordable housing projects regarding VMT, the City commissioned a project-specific traffic analysis by Dudek (Attachment 3). The project was evaluated following the standards of the City of Capitola's General Plan. The traffic analysis is based on the older methodology of evaluation, Level of Service (LOS). CEQA no longer focuses on LOS-based analyses because such analyses tend to result in mitigation measures calling for new or expanded roadways, which leads to more VMT and Greenhouse Gas (GHG) emissions. Staff commissioned the analysis for this project not for CEQA purposes, but as a way to understand the proportionality of impacts to peak hour traffic.

The results of the traffic analysis concluded that the LOS-related impacts of the proposed project would be less than significant. The project creates a total of 26 vehicle trips during the AM peak and a total of 24 trips during the PM peak period. The trip generation modeling for the previous use, the 80-bed Capitola Manor Skilled Nursing Facility, would have accounted for 14 vehicle trips during the AM peak and 18 during the PM peak period. The proposed project results in a net increase of 12 AM peak period trips and 6 PM peak period trips.

Crosswalk Relocation

The applicant hosted a neighborhood outreach meeting prior to submitting an application to the City. They received feedback from nearby residents that the existing painted crosswalk does not provide enough visibility for traffic that is approaching from the north due to the rail crossing and grade changes. The applicant has agreed to relocate and upgrade the crosswalk with the project. Condition of Approval #33 requires that the applicant install a lighted crosswalk at the north edge of the property, nearest the rail crossing to elevate the crosswalk and make it more visible from all directions.

Sustainability Features

The applicant proposes to incorporate the following sustainability features into the project:

- 4 EV chargers
- 17 EV-ready parking spaces
- 7 EV-capable parking spaces
- Solar Panels are expected to be added
- Low water use and native landscaping
- Storm water retention system
- All electric appliances
- All electric heating and cooling

- Short- and long-term bike parking

CEQA: Section 15332 of the CEQA Guidelines exempts infill development projects that meet certain criteria.

The City contracted with environmental consultant Dudek to prepare a detailed environmental analysis under CEQA for the proposed project (Attachment 2). Aside from the concessions allowed via Density Bonus Law, the project is consistent with both the City's General Plan and Zoning Ordinance. The site is within City limits and is surrounded by developed sites and urban uses. No known habitat or rare or threatened species have been identified on the subject site. Potential for traffic, noise, air quality, water quality, soil vapor, and cultural resources impacts were all evaluated and will be effectively mitigated by following current City codes and the recommended project conditions of approval. The site is well served by available public utilities and services.

Therefore, the City has documented that the project qualifies for the Categorical Exemption found in CEQA Guidelines section 15332, the infill exemption, and that none of the potential exceptions to the use of a categorical exemption apply to this project or the project site.

Findings:

Design Permit Findings

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

Community Development staff, the Development and Design Review Committee, consultant RRM, and the Planning Commission have all reviewed the project. The proposed project, as conditioned, is consistent with local long range and implementation planning documents. The project meets the Design Review Criteria.

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

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 56,950 square foot multi-family development complies with all development standards of the RM-M zoning district and/or applicable state law.

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

Section 15332 of the CEQA Guidelines exempts infill development projects that meet certain criteria. The city contracted with environmental consultant Dudek to prepare a detailed environmental analysis under CEQA for the proposed project (Attachment 2). The project is consistent with the General Plan, Zoning Ordinance, and applicable state law. The site is within City limits and is surrounded by developed sites and urban uses. No known habitat or rare or threatened species have been identified on the subject site. Potential for traffic, noise, air quality, soil vapor, and water quality were all evaluated and will be effectively mitigated by following current City codes and the recommended project conditions of approval. The site is well served by available public utilities and services.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

The proposed multifamily development will not have an impact to public, health, safety, and welfare. The buildings will be fire sprinkled and will be served by all necessary public utilities.

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

17.120.070 (Design Review Criteria).

Community Development Staff, the Design and Development Review Committee, design consultant RRM, and the Planning Commission have all reviewed the project. The proposed 56,950 square foot multifamily development and supporting improvements comply with the applicable design review criteria as described by RRM.

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

The project site is in a multi-family residential zone with professional office, retail, single-family, and mobile home park uses in nearby proximity. The design complies with local standards, with the exception of state-permitted concessions. The proposed use does not introduce any new or unusual impacts.

Coastal Findings:

1. **The project is consistent with the LCP land use plan, and the LCP implementation program.**
The proposed project conforms to the City’s certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.
2. **The project maintains or enhances public views.**
The proposed project has no permanent impact on view or coastal access.
3. **The project maintains or enhances vegetation, natural habitats and natural resources.**
The proposed project has no impact on coastal vegetation, habitats, or resources.
4. **The project maintains or enhances low-cost public recreational access, including to the beach and ocean.**
The project has no impact on recreation access or cost.
5. **The project maintains or enhances opportunities for visitors.**
The project has no impact on visitors and opportunities.
6. **The project maintains or enhances coastal resources.**
The proposed multifamily project has no negative impact on coastal resources.
7. **The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.**
The proposed multifamily project allows Capitola to produce needed affordable housing units in an area that is zoned for this type of use. The project is consistent with the LCP.
8. **The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor-serving development and public access and recreation).**
The project will not obstruct public access and has no impact on recreation or visitor opportunities and experiences. The project allows the City to produce affordable housing and deliver the required RHNA units to the region.

Recommended Conditions of Approval:

General Conditions

1. The project approval consists of a Design Permit, State Density Bonus and Coastal Development Permit for the construction of a multifamily at 1098 38th Avenue. Application #23-0525 was approved by the Planning Commission on April 4, 2024.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans

approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.

3. At the time of submittal for building permit review, the Conditions of Approval must be printed in full on the construction plans.
4. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B.
5. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
6. This permit shall expire 24 months from the date of issuance. The applicant shall have obtained an approved building permit commenced construction before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. The project applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise or activity. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. The name and telephone number of the disturbance coordinator shall be conspicuously posted at the construction site fence and on any notifications sent to neighbors. The sign/banner must also list an emergency after-hours contact number for emergency personnel.
9. Green Waste is the City’s exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Green Waste. Using another hauler may violate City Code Section 8.04 and result in Code Enforcement action.
10. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view and inside the trash enclosure on non-collection days.
11. Bicycle parking is required to be accommodated with seven short term bike parking spaces and 52 long term bike parking spaces. The design and specifications of the bike parking spaces shall be further detailed in the plans for Building Permit plan check. The long-term bike parking shall be equipped with a security camera or fully enclosed with a lockable gate.
12. Amplified sound is limited to interior areas only.

Planning Department Conditions

13. Prior to making any changes to the approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.

14. Prior to issuance of a building permit, all Planning fees associated with Permit #23-0525 shall be paid in full.
15. Air-conditioning equipment or other mechanical equipment shall be screened from view and fall within allowable city-permitted decibel levels. Additional details showing equipment locations and any mechanical screens shall be shown on the building permit plans.
16. The trash enclosures shall be covered, gated, and maintained to provide a clean and sanitary area. The trash enclosures construction shall be completed, prior to final inspection.
17. Outdoor luminaires shall be energy-efficient fixtures controlled by motion sensors and incorporate cut-off controls and outdoor lighting controls. All building and parking lot lighting shall be shielded to prevent light from shining in the neighboring properties and be Dark Sky compliant. The applicant shall provide a lighting plan and photometric plan with the submittal of plans for building permit plan check.
18. No rooftop equipment is to be visible to the general public. Any necessary roof screening is to match the color of the building as closely as possible. Plans for any necessary screening shall be submitted to the Community Development Department prior to, or in conjunction with the building permit submittal.
19. Prior to issuance of a building permit, the Building Permit plans will be routed for plan approval to the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District and Central Fire Protection District.
20. The Applicant or permittee shall defend, indemnify, and hold harmless the City of Capitola, its agents, officers, and employees from any claim, action, or proceeding against the City of Capitola or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval; provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions or proceedings.
21. Prior to issuance of building permits, the building plans must show that any existing overhead utility lines within the property and any new utility lines will be underground to the nearest utility pole.
22. Prior to occupancy, the Landscape Architect shall certify in writing that the landscaping and irrigation has been installed in accordance with all aspects of the approved landscape plans, subject to final approval by the Community Development Director.
23. If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100 feet of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the

archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.

24. In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50 foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Cruz County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, they shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains, and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
25. In the event that a fossil is discovered during construction of the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
26. To the extent practicable, tree removal shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If tree removal cannot be performed during this period, precutting surveys will be performed no more than two days prior to beginning work activities to locate any active nests as follows: The owner/applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 300 feet for active nests—with particular emphasis on nests of migratory birds—if tree cutting will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project owner/applicant, in coordination with the appropriate city staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for three days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.
27. The applicant shall continue to work with the County of Santa Cruz Health Services Agency (CSCHSA) to manage and evaluate soil vapor. The applicant shall provide the Planning Department with final permit documentation associated with all additional testing results, remediation plans (if required), soil management plans, and vapor intrusion mitigation systems that are conditions of approval or requirements of CSCHSA, prior to issuance of Building Permits. If required, the vapor intrusion membrane or system shall be coordinated with the Building Permit drawings (i.e. foundation, utilities, storm water, etc.), prior to issuance of Building Permits.
28. The applicant shall provide a construction operations plan for review and approval by the Building Official and the Community Development Director, prior to issuance of Building Permits. The construction operation plan shall address truck traffic issues regarding dust, noise, and vehicular and pedestrian traffic safety on 38th Avenue and surrounding roadways, storage of construction materials, placement of sanitary facilities, parking for construction vehicles, clean-up area, and

parking for construction personnel. A debris box (trash dumpster) shall be placed on site for collection of construction debris. Arrangements must be made with GreenWaste for the debris box since they have a franchise with the City of Capitola.

29. No signs are approved as part of this application. A Sign Permit application shall be submitted in compliance with Chapter 17.80 of the zoning ordinance and shall include all signage proposed for the project site.
30. Inspections by the Planning Department are required for the foundation, final framing, prefinal after application of exterior materials, and final inspection.
31. A separate water service and water meter for irrigation will be required.
32. The applicant shall provide four electric vehicle charging stations with the plans for building permit plan check.
33. The property at 1098 38th Avenue shall be deed restricted to provide continued affordability of 100% low-income affordable housing rental units in the approved ratio and affordability categorized for a period of no less than 55 years. Low-income household cannot exceed 80% of the median family income level for Santa Cruz County as published by California Department of Housing and Community Development. The owner shall enter into an agreement with the City so as to assure compliance with the provisions of the State Density Bonus affordable housing requirement for all units on site to be deed restricted as a low-income rental as defined in Section 50053 of the Health and Safety Code. The deed restriction shall be in a form suitable for recordation as authorized by the Community Development Director and City Attorney.

Public Works Department Conditions

34. Prior to building permit application submittal, the applicant shall provide the additional requested information and revisions outlined in the HydroScience Memo dated March 20, 2024 (Capitola Preliminary Stormwater Control Plan Review for 1098 38th Ave Apartments, Capitola) to verify the Post Construction Monitoring requirements and support the stormwater plan review process for a Tier 4 project.
35. Prior to issuance of building permits, submit a site plan that includes a crosswalk on the northern limit of the frontage on 38th Ave. The crosswalk ramps should utilize Caltrans 2018 Standard Details on page A88A and include appropriate signage and an RRFB as required by the Public Works Director.
36. Prior to issuance of building permits, the applicant shall submit a detailed draft Stormwater Operation and Maintenance Plan prepared and certified by a Registered Civil Engineer and in accordance with the current Post Construction Requirements (PCRs) for a Tier 4 project for review and approval by the Public Works Director.
37. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
38. Prior to issuance of building permits, submit a site plan that includes stormwater temporary construction sediment and erosion control measures (e.g., access to construction site, equipment and material storage locations and duration of placement, stockpile protection location and detail, wattle locations and detail, inlet protection detail, containment of trash/debris, location of portable toilet and containment/protection, etc.). The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.

39. Public Works Standard Detail BMP STRM (Stormwater Pollution Prevention and Protection for Construction Projects) shall be printed in full and incorporated as a sheet in the construction plans with the date and signature. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
40. Prior to the issuance of the building permit the applicant shall submit plans detailing all improvements or modifications that impact or interface with the public right of way. At a minimum these details will include the limits of any existing or proposed curb drains, ADA compliant driveway approach, or any other modification to the curb/gutter/sidewalk. The extent of all improvements or modifications shall be limited to those areas fronting the property boundaries (38th Avenue) and shall not impact the frontage of any adjacent parcels.
41. Applicant shall notify the Public Works Department **24 hours in advance** of the commencement of work. A pre-construction inspection must be conducted by the grading official, or appointed staff to verify compliance with the approved erosion and sediment control plan. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction and shall be maintained throughout project duration.
42. Prior to any work in the City-road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right of- way.
43. Utility connections - All utility connections made in the public right of way will be completed in a manor so that the final paving is completed as one uniform patch rather than multiple trench line patches.
44. Prior to final occupancy approval, the Engineer of Record shall inspect and provide record drawings of construction of stormwater management improvements and certify to the City that the construction meets the intent of the approved design drawings, Stormwater Control Plan, and City Post Construction Requirements.
45. Prior to final occupancy approval, the applicant shall submit a final Operation and Maintenance Plan including any revisions resulting from changes made during construction for review and approval by the Public Works Director and recorded in the Office of the County Recorder.
46. Prior to final occupancy approval, the applicant shall enter into and record in the Office of the County Recorder, any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of the stormwater treatment BMPs.
47. General Site Maintenance: Keep work site clear of debris and advise drivers not to tracking mud, dirt or gravel into the street, and sweep daily, cover all stockpiles and excavation spoils.

Attachments:

1. Project Plans – March 5, 2024
2. CEQA Draft NOE prepared by Dudek
3. Transportation Technical Memorandum prepared by Dudek – February 8, 2024
4. RRM Design Review Memo – January 26, 2024
5. Applicant's Response to Design Review Memo – March 7, 2024
6. California Density Bonus Law (Government Code 65915-65918)
7. Design Review Criteria

Report Prepared By: Brian Froelich, Senior Planner

Reviewed By: Julia Gautho, City Clerk; Leila Moshref-Danesh, City Attorney Office

Approved By: Katie Herlihy, Community Development Director



PROJECT INFORMATION

100% AFFORDABLE HOUSING DEVELOPMENT FOR MIDPEN HOUSING.

SITE:
1098 38TH AVE, CAPITOLA, CA 95062

APN: 036-172-03
SITE AREA: 1.977 ACRES (86,118.12 SQ)
ZONING: RM-M (MULTI-FAMILY RESIDENTIAL, MEDIUM DENSITY)
GENERAL PLAN: R-M (MULTI-FAMILY RESIDENTIAL)

SITE COVERAGE:
MAXIMUM BUILDING COVERAGE: 40%
(LAND AREA COVERED BY ALL BUILDINGS AND ACCESSORY STRUCTURES ON A PARCEL)
EXISTING BUILDING COVERAGE: 0 SF / 0% (EXISTING BUILDING HAS BEEN DEMOLISHED)
PROPOSED BUILDING COVERAGE: 22,473 SF / 26%
(INCLUDING EXTERIOR CIRCULATION, WASTE ENCLOSURE, BIKE STORAGE ENCLOSURE)

MAXIMUM ALLOWABLE FAR: NO REQUIREMENT INDICATED
PROPOSED FAR: 0.68
MINIMUM OPEN SPACE REQUIREMENTS:
COMMON OPEN SPACE: 15% OF SITE AREA
PRIVATE OPEN SPACE: MIN 50% UNITS WITH PRIVATE OPEN SPACE
MIN 48 SF FOR INDIVIDUAL UNITS
PROPOSED COMMON OPEN SPACE: 22,880 SF / 26%
PROPOSED PRIVATE OPEN SPACE: NOT PROVIDED. **SEE REQUESTED CONCESSIONS

REQUIRED SETBACKS:
FRONT: MAIN STRUCTURE: 15'-0"; GARAGE: 20'-0"
INTERIOR SIDE - NORTH: 10% PARCEL WIDTH: (141.91' + 205.512/2)*0.10 = 37.17' *
INTERIOR SIDE - SOUTH: 10% PARCEL WIDTH: (141.91' + 201.512/2)*0.10 = 37.17' *
REAR: 15% PARCEL DEPTH: (507.277' / 0.15) = 76.31'
*EXCEPTION: MINIMUM INTERIOR SIDE SETBACK SHOULD NOT BE LESS THAN 3' OR GREATER THAN 7'

PROPOSED SETBACKS:
FRONT: 18'-0" (PROVIDING CLEAR ACCESS TO OVERHEAD POWER LINES)
FRONT PORCHES PROJECT 6' INTO SETBACK PER CITY CODE SECTION 17.48.030
SIDE - NORTH: 7'-0" (AT BUILDING D), 10'-0" (AT BUILDING B)
SIDE - SOUTH: 25'-0" (AT BUILDING A), 30'-2" (AT BUILDING C)
REAR: 135'-0" (AT BUILDING D), 158'-0" (AT BUILDING C)

BUILDING INFORMATION:
MAX. ALLOWABLE HEIGHT: 30'-0"
PROPOSED HEIGHT: 40'-6" (AT HIGHEST RIDGE OF BUILDING C INTERNAL TO SETBACK)
26'-3" (AT HIGHEST RIDGE OF BUILDING A & B ALONG 38TH)
**SEE REQUESTED CONCESSIONS

BUILDING A: 2 STOREY TYPE VA CONSTRUCTION
BUILDING B, C, D: 3 STOREY TYPE VA CONSTRUCTION
BUILDING A: 3,723 SF / FLOOR = 7,446 SF TOTAL
BUILDING B: 6,034 SF / FLOOR = 18,102 SF TOTAL
BUILDING C: 7,698 SF / FLOOR = 23,094 SF TOTAL
BUILDING D: 4,055 SF / FLOOR = 12,165 SF TOTAL
TOTAL BUILDING AREA: 60,805 SF TOTAL

OCCUPANCY TYPES:
A-3 COMMUNITY ROOMS (FIRST FLOOR)
B OFFICES (FIRST FLOOR)
R-2 RESIDENTIAL DWELLING UNITS (FIRST THROUGH THIRD FLOOR)
S-2 EQUIPMENT + UTILITY SPACES (FIRST FLOOR)
USE TYPES & AREAS:
COMMON AREA/SUPPORT FOR RESIDENTIAL/UTILITY: 4,265 SF
RESIDENTIAL: 56,950 SF

BUILDINGS WILL BE ALL ELECTRIC

RESIDENTIAL UNITS:

STUDIO UNITS: 4
1-BEDROOM UNITS: 21
2-BEDROOM UNITS: 14 (3 MANAGER'S UNIT)
3-BEDROOM UNITS: 13
TOTAL UNITS: 52 UNITS (51 100% BELOW MARKET RATE UNITS WITH 1 UNRESTRICTED MANAGER'S UNIT)

DENSITY:

MAXIMUM ALLOWABLE DENSITY:
PARCEL AREA PER UNIT: 2,900 SF MINIMUM + 15 DWELLING UNITS PER ACRE MAXIMUM

STATE DENSITY BONUS LAW ALLOWS 100% AFFORDABLE HOUSING PROJECTS TO UTILIZE THE 80% DENSITY BONUS INCREASE AND UP TO FOUR CONCESSIONS/INCENTIVES FROM THE CITY'S DEVELOPMENT STANDARD.

PROPOSED DENSITY WITH 180% DENSITY BONUS LAW:
PROPOSED DENSITY: 35 DU/AC * 180% = APPROXIMATELY 27 DU/AC
15 DU/AC * 1.977 AC = 29 UNITS * 180% = 52 UNITS
TOTAL PROPOSED UNITS: 52 UNITS

REQUESTED CONCESSIONS:

- 1) PRIVATE OPEN SPACE
- 2) MAXIMUM BUILDING HEIGHT AT TREE REPLACEMENT (T.R.C.)
- 3) PARKING LOT LANDSCAPING
- VEHICLE, EV, AND BICYCLE PARKING
SEE SHEET PALL FOR PARKING INFORMATION

KEY PLAN



SHEET INDEX

PAD.1 TITLE SHEET	PAC2.2 BUILDING C- FLOOR AND ROOF PLANS	
PAD.2 AMENITY MAP	PAC3.1 BUILDING C- EXTERIOR ELEVATIONS	
PAD.3 EXISTING SITE CONTEXT	PAD2.1 BUILDING D- FLOOR PLANS	JT.1.01 DRY UTILITY STANDARDS
PS1.1 BOUNDARY AND TOPOGRAPHIC SURVEY	PAD2.2 BUILDING D- FLOOR AND ROOF PLANS	JT.1.02 DRY UTILITY INTENT
PS1.2 BOUNDARY AND TOPOGRAPHIC SURVEY	PAD3.1 BUILDING D- EXTERIOR ELEVATIONS	TOTAL 51
PS1.3 BOUNDARY AND TOPOGRAPHIC SURVEY	PA2.1 STUDIO AND 1-BEDROOM UNIT PLANS	
C0.0 DEMOLITION PLAN	PA2.2 2-BEDROOM UNIT PLANS	
C1.0 GRADING AND DRAINAGE PLAN WEST	PA2.3 3-BEDROOM UNIT PLANS	
C1.1 GRADING AND DRAINAGE PLAN EAST	PA4.1 DESIGN NARRATIVE	
C2.0 UTILITY PLAN	PA4.2 EXTERIOR CONCEPTUAL RENDERINGS	
C3.0 PUBLIC IMPROVEMENTS PLAN	PA4.3 EXTERIOR CONCEPTUAL RENDERINGS	
C4.0 STORMWATER CONTROL PLAN	PA4.4 EXTERIOR CONCEPTUAL RENDERINGS	
PA1.1 ARCHITECTURAL SITE PLAN	PA4.5 ARCHITECTURAL CHARACTER- CONTEMPORARY CALIFORNIA CRAFTSMAN	
PA1.2 FIRE ACCESS PLAN	PA5.1 MATERIALS BOARD	
PA1.3 SITE LIGHTING PLAN	PA5.2 LIGHTING PLAN	
PA1.4 UNIT MIX PLANS	PL1.1 TREE PROTECTION AND REMOVAL PLAN	
PA2.1 BUILDING A- FLOOR PLANS	PL2.1 TREE MITIGATION AND PLANTING PLAN	
PA2.2 BUILDING A- FLOOR AND ROOF PLAN	PL2.2 LANDSCAPE PLAN	
PA2.3 BUILDING A- EXTERIOR ELEVATIONS	PL2.3 SITE PLAN RENDERING	
PAB-2.1 BUILDING B- FLOOR PLANS	PL2.4 FENCING EXHIBIT	
PAB-2.2 BUILDING B- FLOOR AND ROOF PLAN	PL2.5 LANDSCAPE MATERIALS EXHIBIT	
PAB-3.1 BUILDING B- EXTERIOR ELEVATIONS	PL3.1 IRRIGATION PLAN AND SCHEDULE	
PAC2.1 BUILDING C- FLOOR PLANS	PL3.2 IRRIGATION NOTES	

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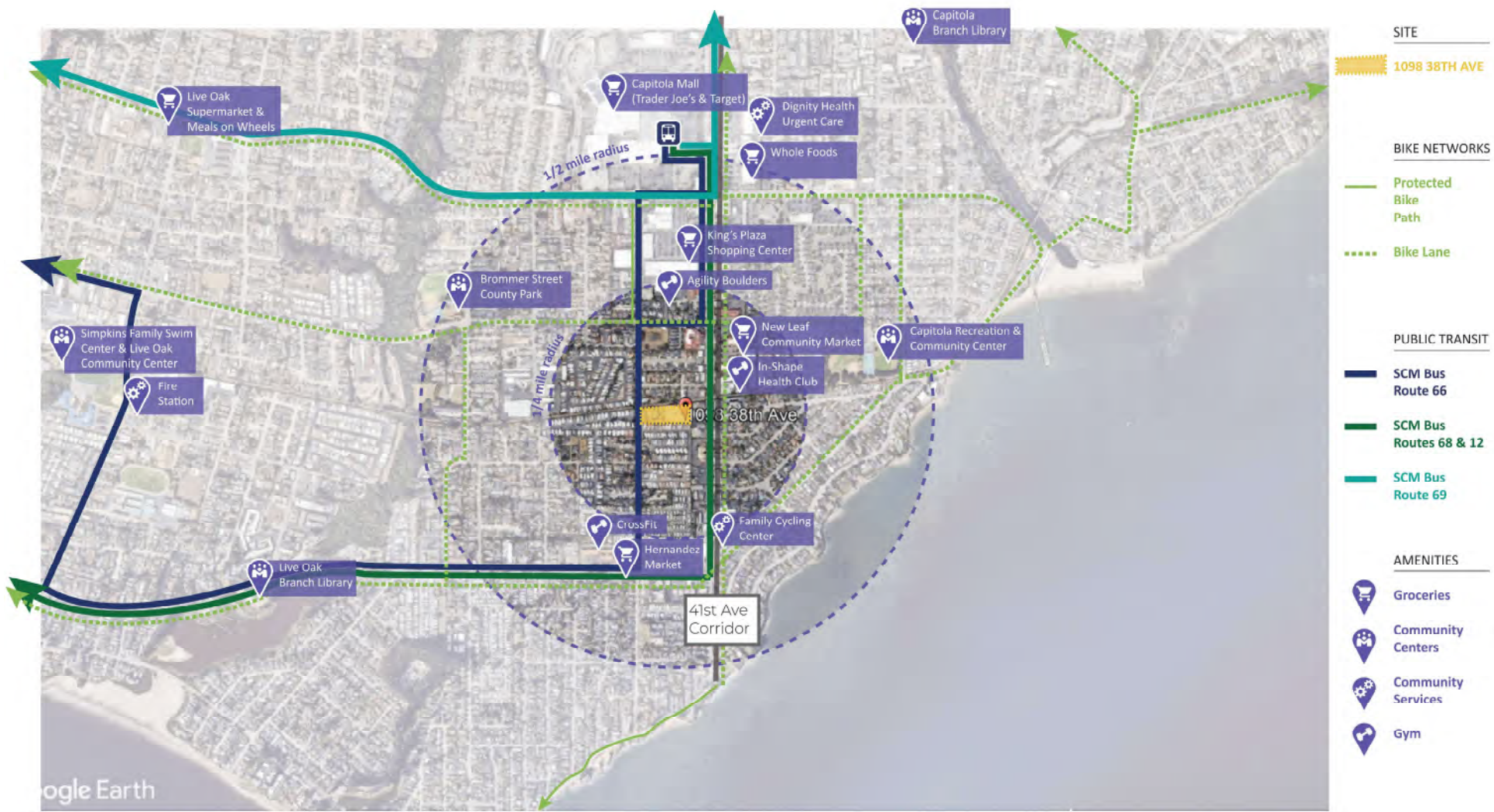
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38TH AVE APARTMENTS
DEVELOPMENT FOR
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING RESUBMITTAL
MARCH 5, 2024

TITLE SHEET

No.	DATE	ISSUE	ISSUED: 3/5/2024
1	03/07/2024	PLANNING RESUBMITTAL	DRAWN: JG, KS, YJ
			CHECKED: SV
			JOB: Z3003
			PA0.1
			SCALE:



ARCHITECTS
FORA

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38TH AVE APARTMENTS

DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING RESUBMITTAL

MARCH 5, 2024

AMENITY MAP

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA0.2
SCALE:



A RAILROAD CROSSING AT 38TH AVENUE NORTH WEST CORNER OF PROJECT SITE



B CROSSWALK ACROSS 38TH AVENUE SOUTH WEST CORNER OF PROJECT SITE



C EXISTING SITE CONDITIONS EXISTING BUILDING DEMOLISHED, FOUNDATION REMAIN



D SHANGRI-LA ESTATES MOBILE HOME PARK SOUTH OF PROJECT SITE ALONG 38TH AVENUE



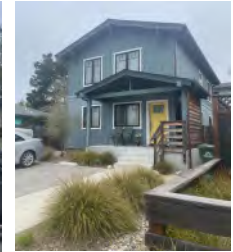
E MURAL ON O'NEILL SURF SHOP BUILDING ALONG 41ST AVENUE



F CAPITOLA BEACH VILLAS MIXED-USE DEVELOPMENT ON 41ST AVENUE



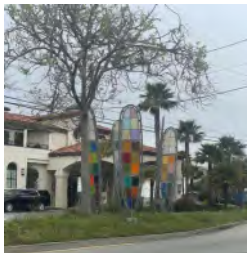
G SINGLE FAMILY HOME PROPERTY WITH TWO TWO-STORY ACCESSORY DWELLING UNITS ON 38TH AVENUE



H RETAIL ALONG 41ST AVENUE STREETFRONTAGE WITH RESIDENTIAL ABOVE



I SURROUNDING CHARACTER: CAPITOLA BY THE SEA SIGNAGE



J SURROUNDING CHARACTER: SURF BOARD PUBLIC ART

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38TH AVE APARTMENTS

DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

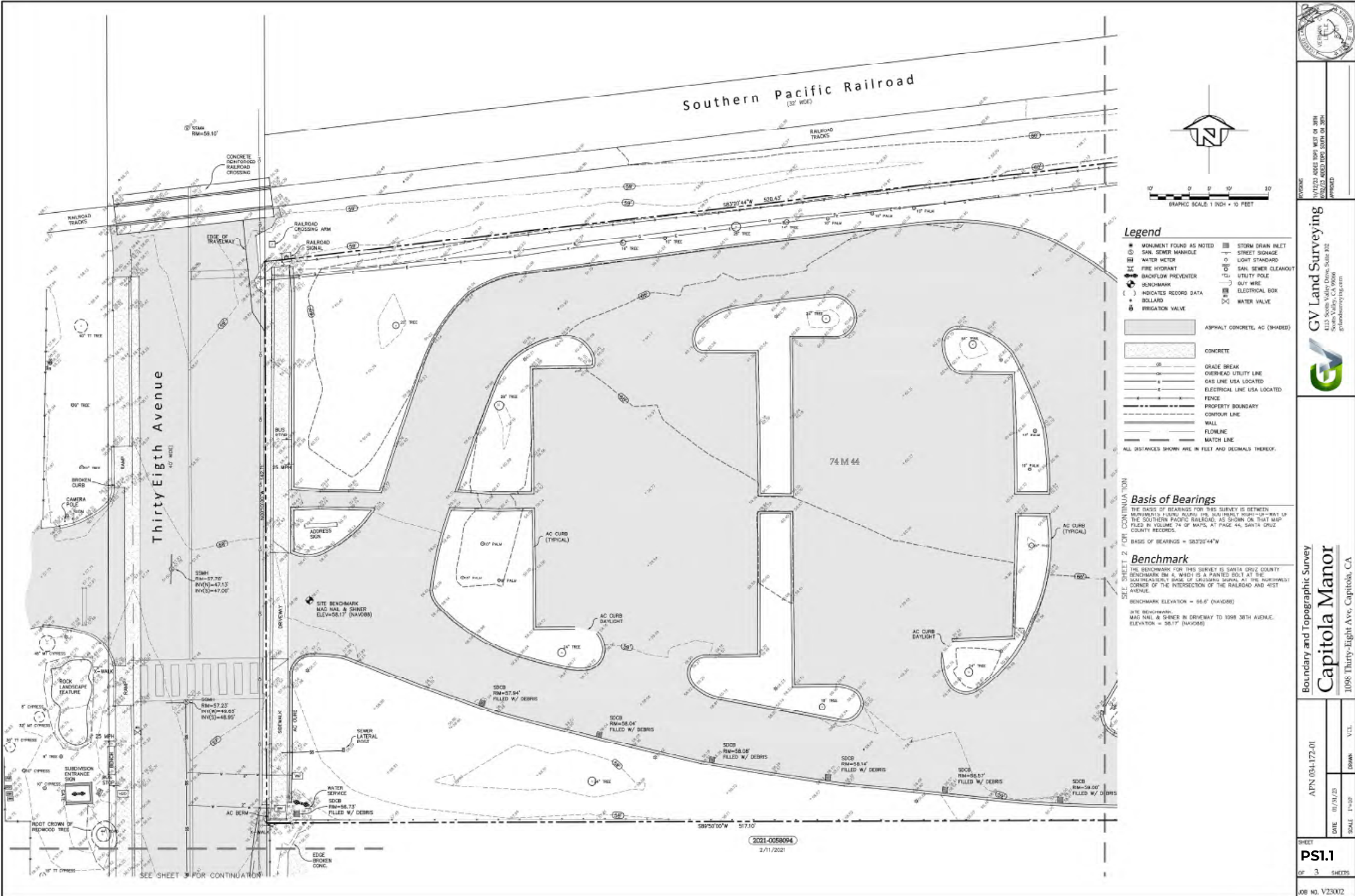
PLANNING RESUBMITTAL

MARCH 5, 2024

EXISTING SITE CONTEXT

NO.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA0.3
SCALE:



Legend

- WORKMAN FOUND AS NOTED
- ⊕ SAN. SEWER MANHOLE
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- ⊕ SACKLELOW PREVENTER
- () INDICATES RECORD DATA
- BOLLARD
- ⊕ IRRIGATION VALVE
- ⊕ STORM DRAIN INLET
- ⊕ STREET SIGNAGE
- ⊕ LIGHT STANDARD
- ⊕ SAN. SEWER CLEANOUT
- ⊕ UTILITY POLE
- ⊕ GUY WIRE
- ⊕ ELECTRICAL BOX
- ⊕ WATER VALVE
- ▨ ASPHALT CONCRETE, AC (SHADED)
- ▨ CONCRETE
- GRADE BREAK
- OVERHEAD UTILITY LINE
- GAS LINE USA LOCATED
- ELECTRICAL LINE USA LOCATED
- FENCE
- PROPERTY BOUNDARY
- CONTOUR LINE
- WALL
- FLOWLINE
- MATCH LINE

ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

Basis of Bearings
 THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN PERPENDICULARS ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD, AS SHOWN ON THAT MAP FILED IN VOLUME 74 OF MAPS, AT PAGE 44, SANTA CRUZ COUNTY RECORDS.

Benchmark
 THE BENCHMARK FOR THIS SURVEY IS SANTA CRUZ COUNTY BENCHMARK BM 4, WHICH IS A PAINTED SOUL AT THE SOUTHWEST CORNER OF CHASSON SIGNAL AT THE NORTHEAST CORNER OF THE INTERSECTION OF THE RAILROAD AND 41ST AVENUE.

BENCHMARK ELEVATION = 58.6' (NAVD88)
 THE BENCHMARK WAS NAIL & GIBBS IN DRIVEWAY TO 1098 34TH AVENUE. ELEVATION = 58.17' (NAVD88)

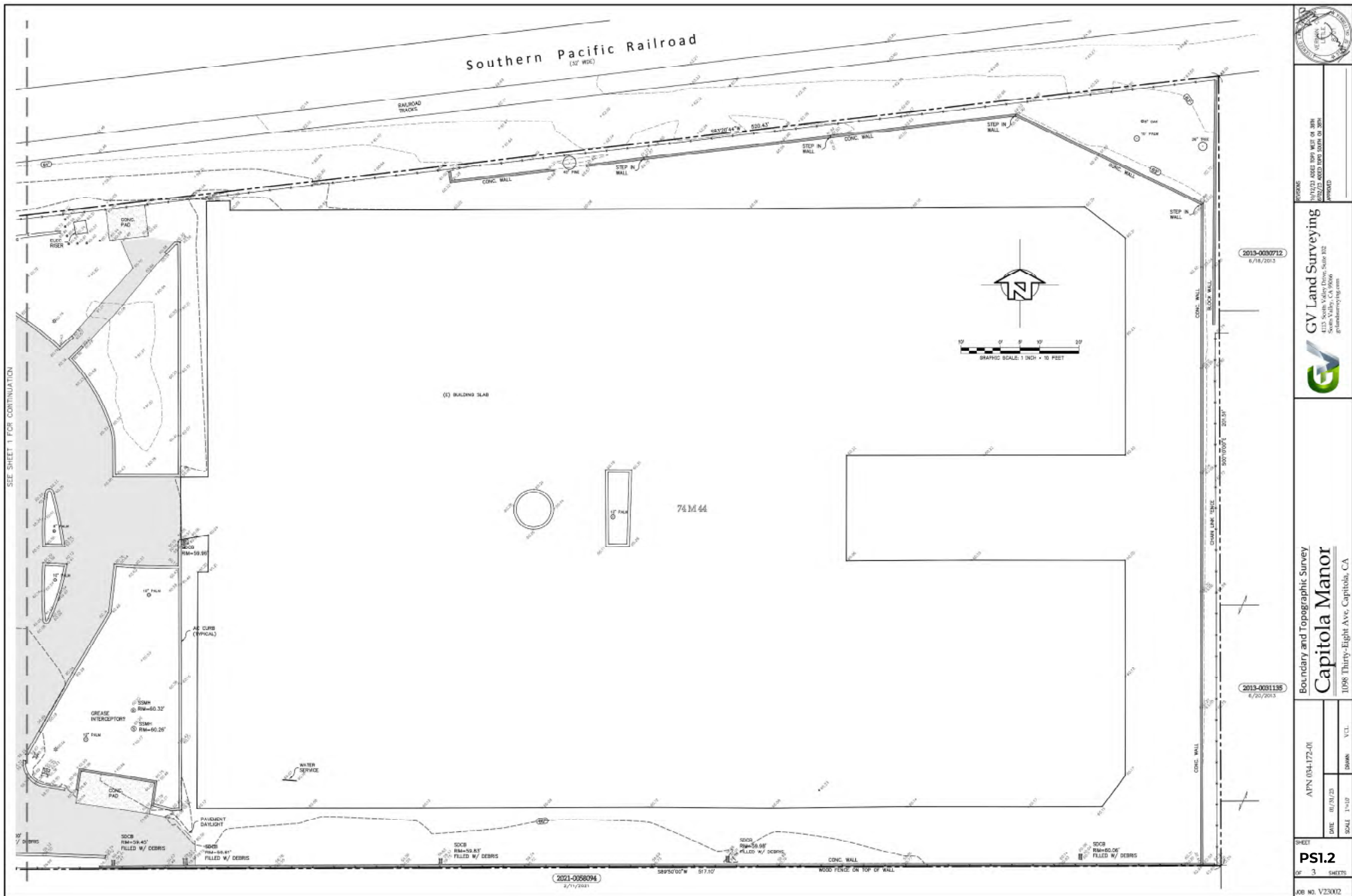
GV Land Surveying
 4113 South Valley Drive, Suite 102
 Santa Valley, CA 95066
 gvlansurveying.com

Boundary and Topographic Survey
Capitola Manor
 1098 Thirty-Eight Ave, Capitola, CA

APN 034-172-01
 DATE 07/31/20
 SCALE 1"=40'

SHEET
PS.1
 OF 3 SHEETS

JOB NO. V23002



SEE SHEET 1 FOR CONTINUATION



PROJNO: 10/12/21-0025 009 WEST OF 30th
002/72-0025 1000 SOUTH OF 30th
PERIOD:

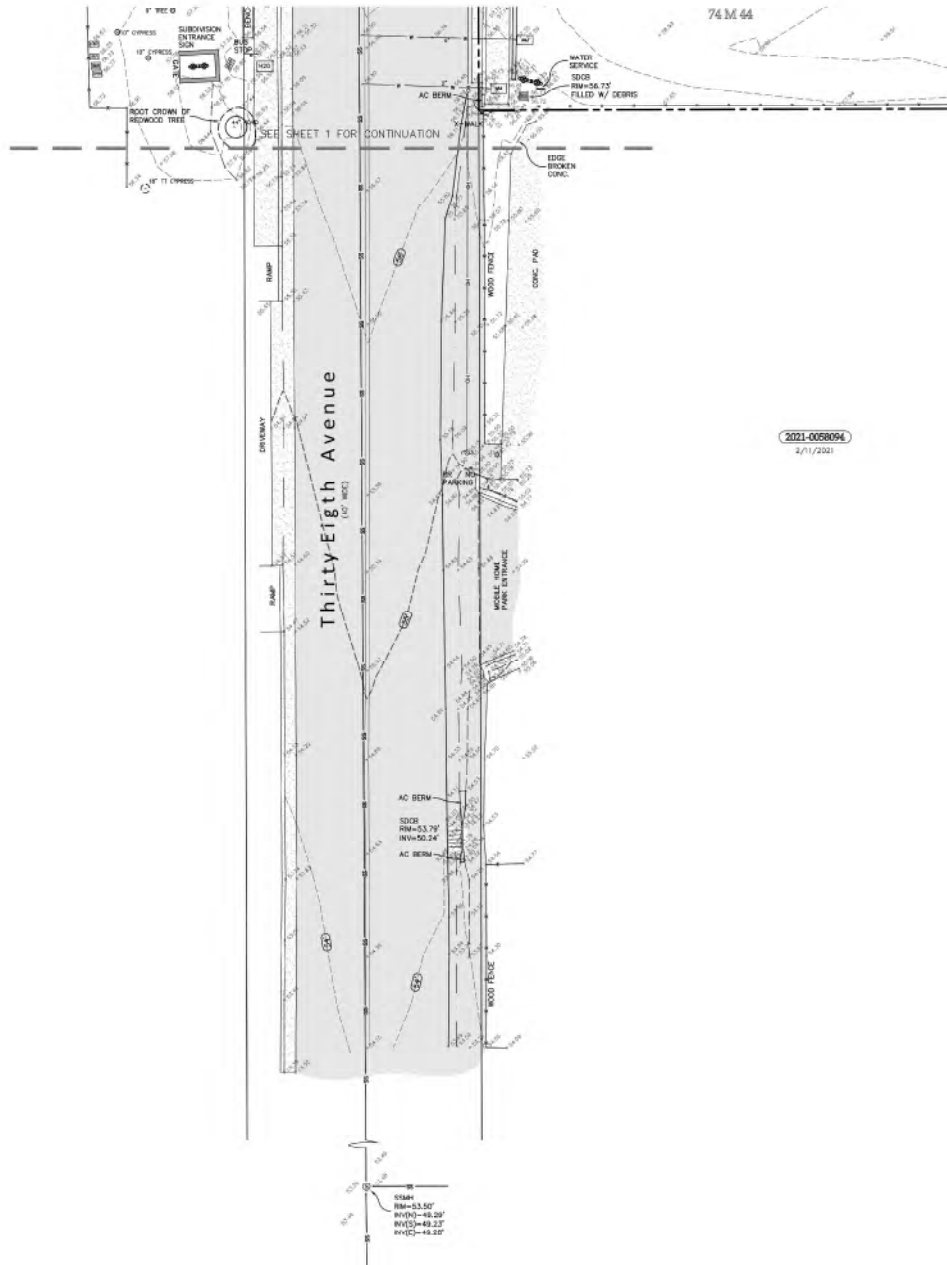
GV Land Surveying
4115 South Valley Drive, Suite 102
Soan Valley, CA 95066
gvlansurveying.com

Boundary and Topographic Survey
Capitola Manor
1098 Thirty-Eight Ave. Capitola, CA

APN: 034-172-01
DATE: 07/21/23
SCALE: 1"=10'
DRAWN: VJL

SHEET
PS1.2
OF 3 SHEETS

JOB NO. V23002



- Legend**
- MONUMENT FOUND AS NOTED
 - SAN SEWER MANHOLE
 - ⊗ WATER METER
 - ⊕ FIRE HYDRANT
 - ⊕ BACKFLOW PREVENTER
 - ⊕ BENCHMARK
 - () INDICATES RECORD DATA
 - ⊕ BOLLARD
 - ⊕ IRRIGATION VALVE
 - ⊕ STORM DRAIN IN/FT
 - ⊕ STREET SURFACE
 - ⊕ LIGHT STANDARD
 - ⊕ SAN SEWER CLEANOUT
 - ⊕ UTILITY POLE
 - ⊕ QUI WIRE
 - ⊕ ELECTRICAL BOX
 - ⊕ WATER VALVE
 - ASPHALT CONCRETE, AC (SHADDED)
 - CONCRETE
 - GRADE BREAK
 - OVERHEAD UTILITY LINE
 - GAS LINE, USA LOCATED
 - ELECTRICAL LINE, USA LOCATED
 - FENCE
 - PROPERTY BOUNDARY
 - CURTAIN LINE
 - WALL
 - FLOWLINE
 - MATCH LINE
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.



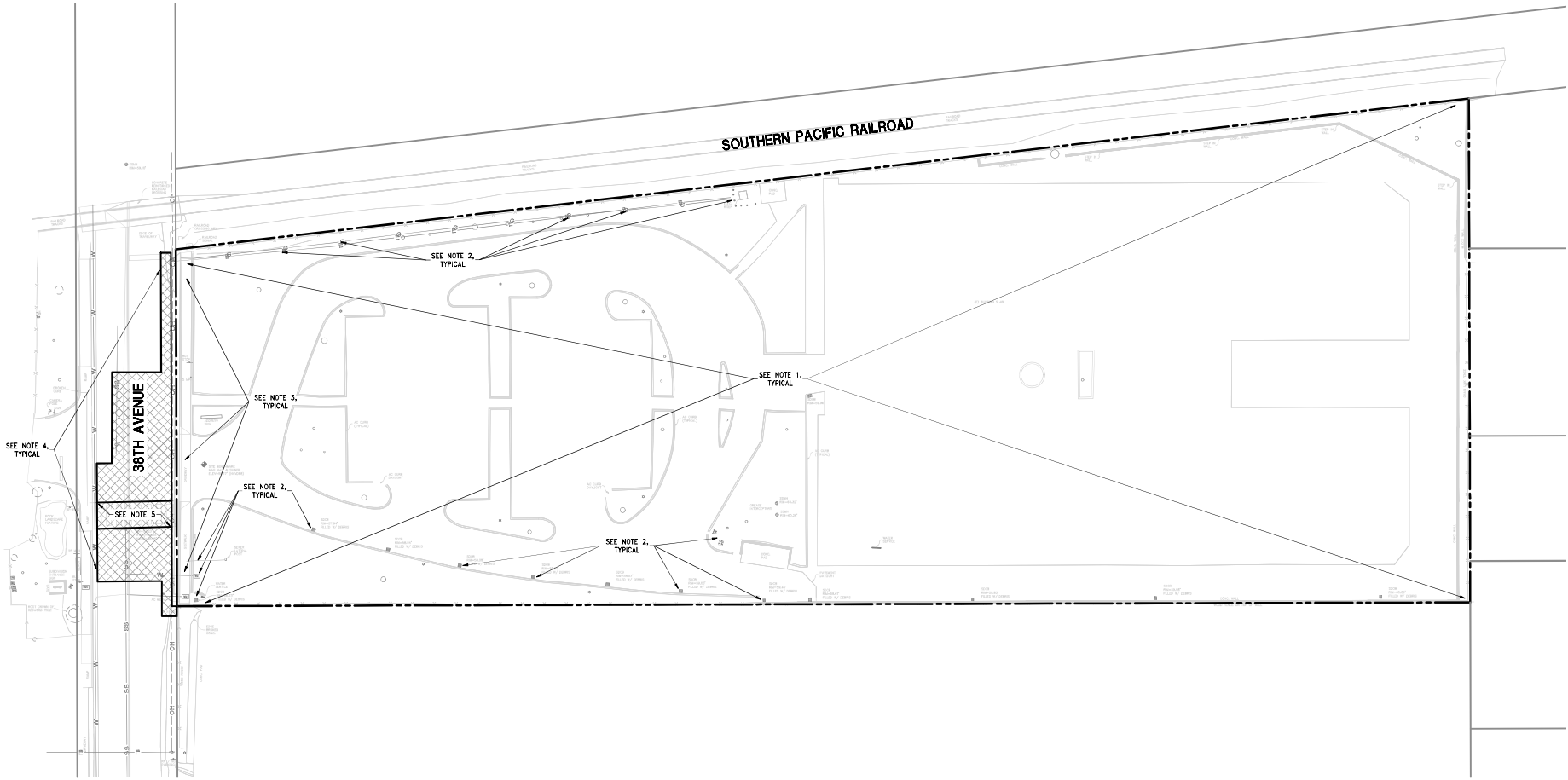
REVISED
07/12/21 ASSES 8093 WEST OF 38TH
05/27/21 4003 WEST OF 38TH
APPROVED

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4113 South Valley Drive, Suite 102
Sunnyvale, CA 95066
gvlansurveying.com

Boundary and Topographic Survey
Capitola Manor
1098 Thirty-Eighth Ave, Capitola, CA

ALPN 034-172-01
DATE 07/31/23
SCALE 1"=10'
DRAWN VCL

SHEET
PS1.3
OF 3 SHEETS
JOB NO. V23002



NOT FOR CONSTRUCTION

DATE	10/27/2023
BY	STAFF
FOR	DESIGN DEVELOPMENT
PROJECT	MIDPEN APARTMENT
SHEET	CO.0

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 SANTA CRUZ, CA 95062
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PRELIMINARY DEMOLITION PLAN
MIDPEN APARTMENT
 1088 38TH AVENUE, CAPITOLA, CALIFORNIA

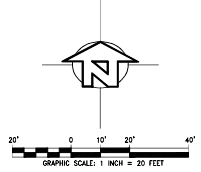
APN: 034-172-01
 DESIGN DEVELOPMENT
 DATE: 10/27/2023
 DRAWN BY: STAFF
 CHECKED BY: STAFF

SHEET
CO.0

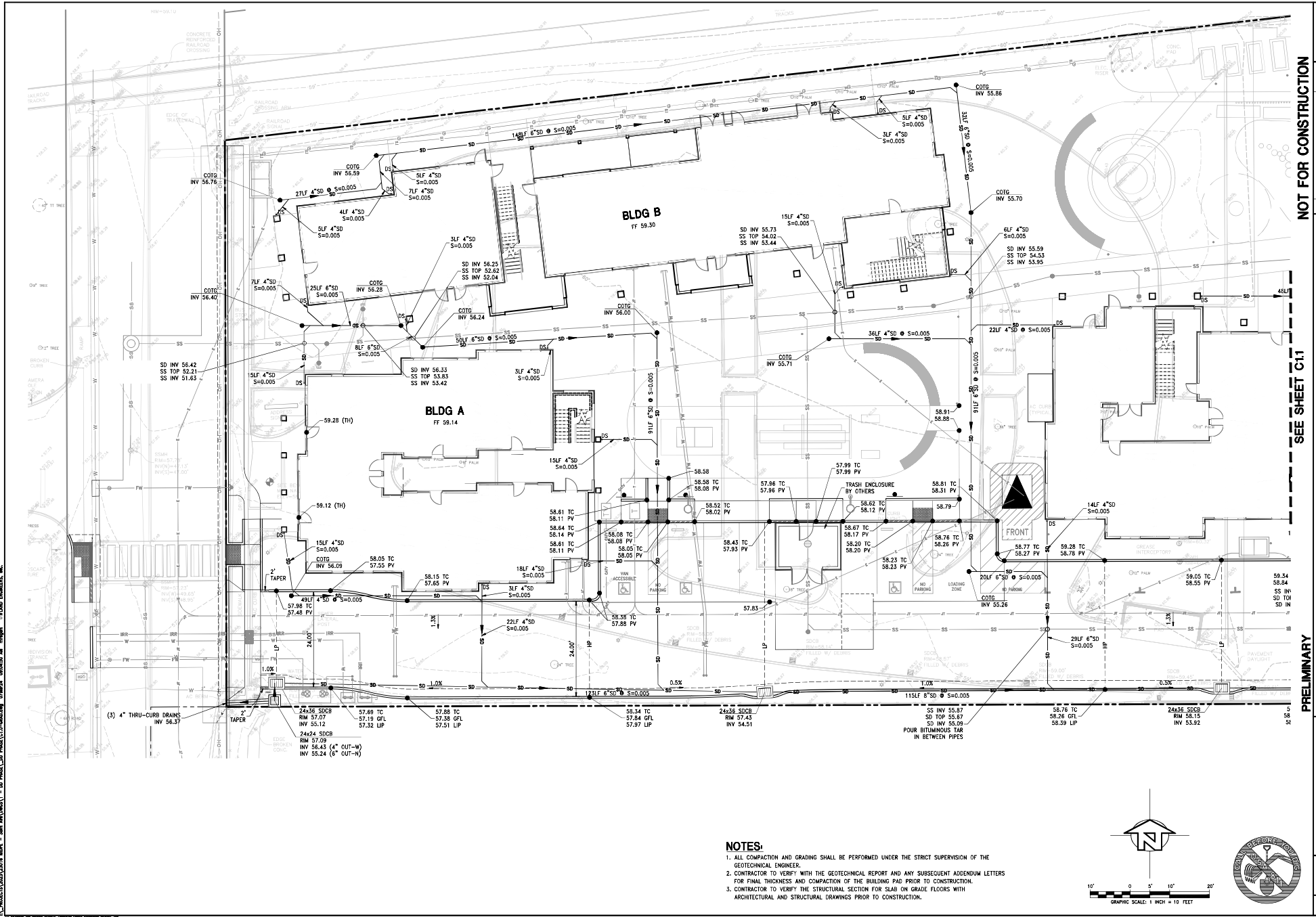
JOB NO. 23016

NOTES:

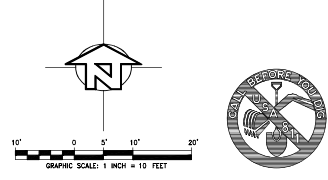
1. ALL SITE IMPROVEMENTS AND STRUCTURES WITHIN THE PROPERTY BOUNDARIES ARE TO BE DEMOLISHED.
2. ON-SITE UTILITIES NOT SERVING ADJACENT PARCELS ARE TO BE REMOVED OR ABANDONED PER UTILITY PURVEYOR REQUIREMENTS.
3. EXISTING CURB, GUTTER, SIDEWALK AND DRIVEWAY APPROACH ON 38TH AVENUE FRONTAGE TO BE REMOVED AND REPLACED WITH NEW CURB, GUTTER, SIDEWALK AND DRIVEWAY APPROACH PER CITY STANDARDS.
4. SAWCUT EXISTING AC IN 38TH AVENUE WHERE NEW FRONTAGE IMPROVEMENTS ARE TO BE CONSTRUCTED AND NEW UTILITY SERVICE CONNECTIONS ARE TO BE MADE.
5. REMOVE AND REPLACE CROSS-WALK IN KIND.



I:\PROJECTS\2023\10\27\1023-10000\1023-10000-01.dwg - 10/27/2023 10:00:00 AM - 10/27/2023 10:00:00 AM - 10/27/2023 10:00:00 AM - 10/27/2023 10:00:00 AM



- NOTES:**
1. ALL COMPACTION AND GRADING SHALL BE PERFORMED UNDER THE STRICT SUPERVISION OF THE GEOTECHNICAL ENGINEER.
 2. CONTRACTOR TO VERIFY WITH THE GEOTECHNICAL REPORT AND ANY SUBSEQUENT ADDENDUM LETTERS FOR FINAL THICKNESS AND COMPACTION OF THE BUILDING PAD PRIOR TO CONSTRUCTION.
 3. CONTRACTOR TO VERIFY THE STRUCTURAL SECTION FOR SLAB ON GRADE FLOORS WITH ARCHITECTURAL AND STRUCTURAL DRAWINGS PRIOR TO CONSTRUCTION.



NOT FOR CONSTRUCTION

SEE SHEET C-11

PRELIMINARY GRADING AND DRAINAGE PLAN WEST

MIDPEN APARTMENT

1088 38TH AVENUE, CARPENTRIA, CALIFORNIA

APN 034-172-01
 REGION DEVELOPMENT
 DATE 10/27/2023
 EDITION STAFF
 DRAWN STAFF

SHEET **C1.0**

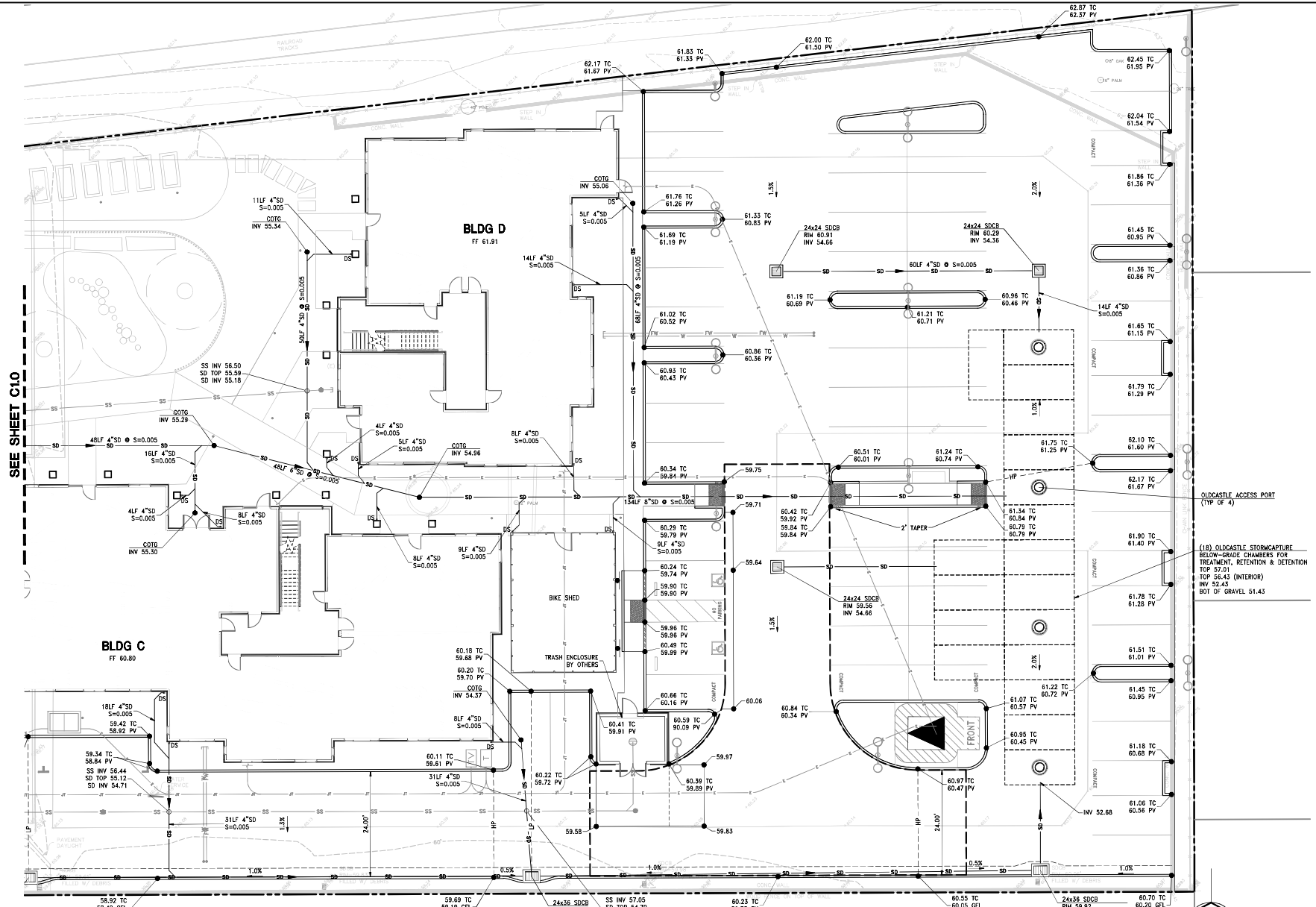
JOB NO. 23016

BY	DATE	REVISION

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 SANTA CRUZ, CA 95060
 TEL 831 438-7700
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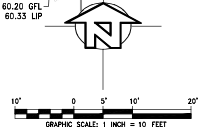


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SEE SHEET C10

- NOTES:**
1. ALL COMPACTION AND GRADING SHALL BE PERFORMED UNDER THE STRICT SUPERVISION OF THE GEOTECHNICAL ENGINEER.
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 3. CONTRACTOR TO VERIFY THE STRUCTURAL SECTION FOR SLAB ON GRADE FLOORS WITH ARCHITECTURAL AND STRUCTURAL DRAWINGS PRIOR TO CONSTRUCTION.



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SANTA CRUZ, CA 95062
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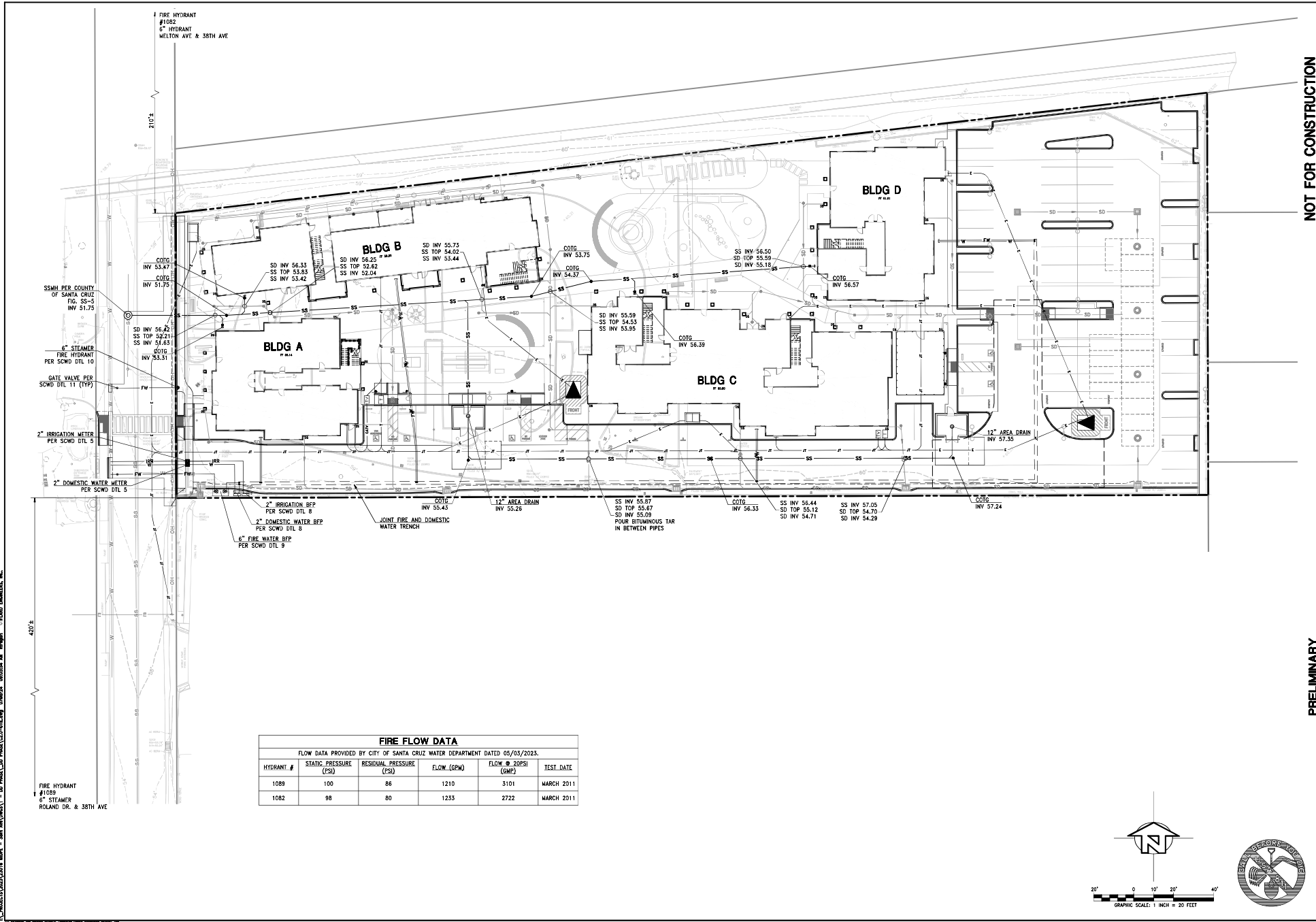


PRELIMINARY GRADING AND DRAINAGE PLAN EAST MIDPEN APARTMENT
1088 38TH AVENUE, CAPITOLA, CALIFORNIA

APN: 034-172-01	DESIGN DEVELOPMENT	DRAWN: STAFF
DATE: 10/27/2023	DESIGN: STAFF	STAFF: STAFF

SHEET **C1.1**

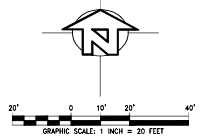
JOB NO. 23016



FIRE FLOW DATA

FLOW DATA PROVIDED BY CITY OF SANTA CRUZ WATER DEPARTMENT DATED 05/03/2023.

HYDRANT #	STATIC PRESSURE (PSI)	RESIDUAL PRESSURE (PSI)	FLOW (GPM)	FLOW @ 20PSI (GMP)	TEST DATE
1089	100	86	1210	5101	MARCH 2011
1082	98	80	1255	2722	MARCH 2011



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DATE	BY	REVISION	ZONE

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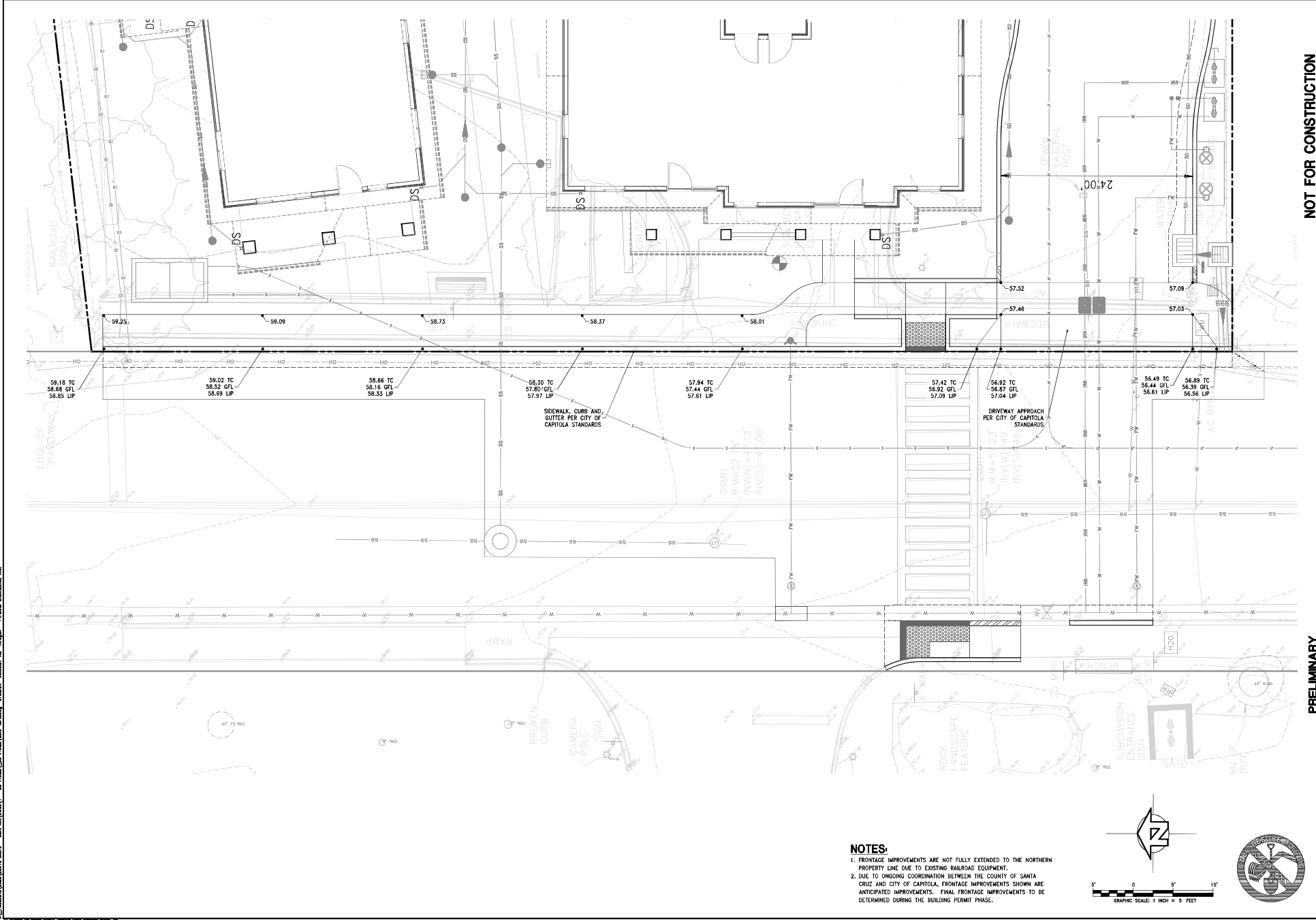
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PRELIMINARY UTILITY PLAN
MIDPEN APARTMENT
 1088 38TH AVENUE, CAPITOLA, CALIFORNIA

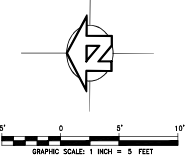
PROJECT NO.	APN 034-172-01
DESIGN DEVELOPMENT	
DATE	10/27/2023
DRAWN BY	STAFF
DESIGN BY	STAFF

SHEET **C2.0**

JOB NO. 23016



- NOTES:**
- FRONTAGE IMPROVEMENTS ARE NOT FULLY EXTENDED TO THE NORTHERN PROPERTY LINE DUE TO EXISTING RAILROAD EQUIPMENT.
 - DUE TO ONGOING COORDINATION BETWEEN THE COUNTY OF SANTA CRUZ AND CITY OF CAPITOLA, FRONTAGE IMPROVEMENTS SHOWN ARE ANTICIPATED IMPROVEMENTS. FINAL FRONTAGE IMPROVEMENTS TO BE DETERMINED DURING THE BUILDING PERMIT PHASE.



NOT FOR CONSTRUCTION

DATE	BY	REVISION	ZONE

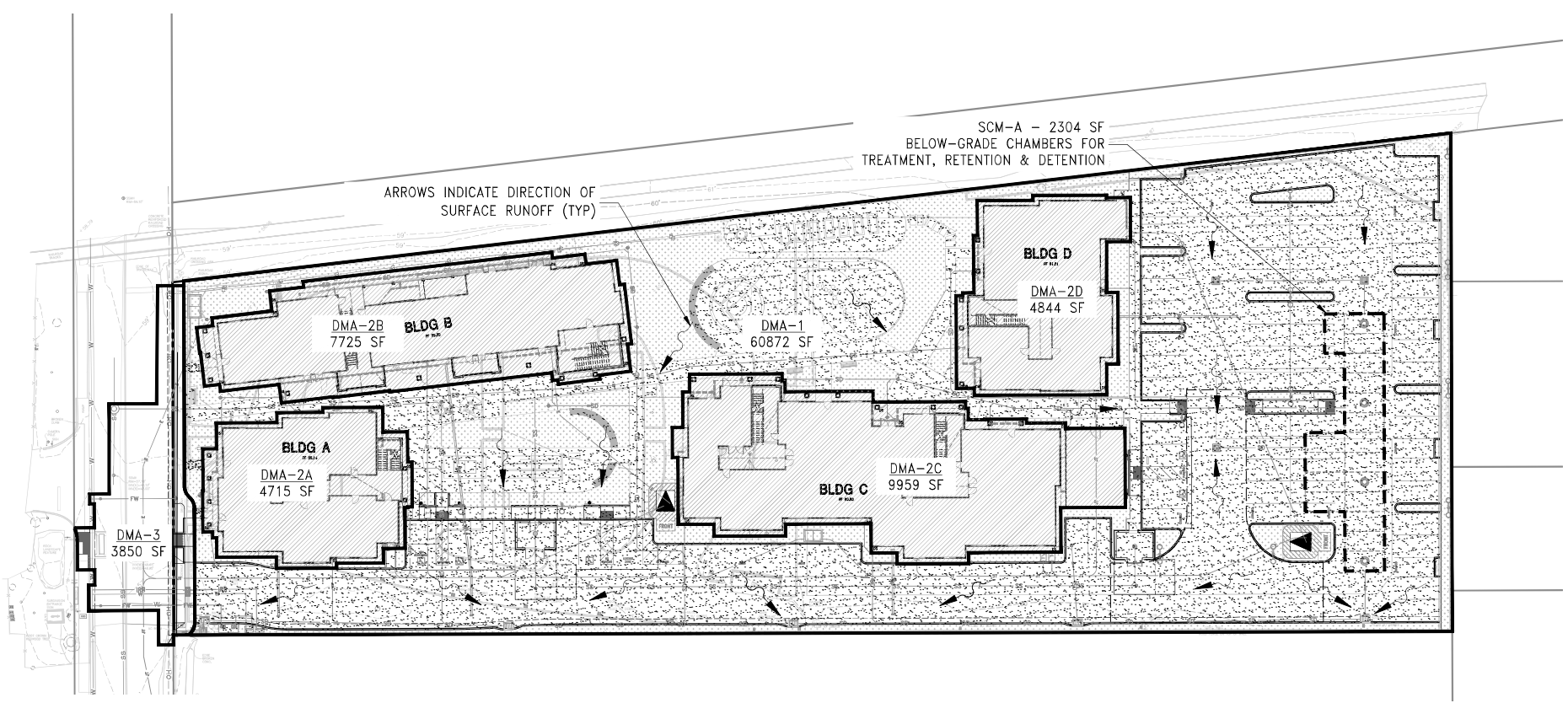
6500 BOQUE AVE. SUITE 201
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PRELIMINARY
PUBLIC IMPROVEMENTS
MIDPEN APARTMENT
 1088 38TH AVENUE, CAPITOLA, CALIFORNIA

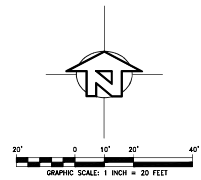
APN: 034-172-01	DESIGN DEVELOPMENT	STAFF	STAFF
DATE: 10/27/2023	DESIGN DEVELOPMENT	STAFF	STAFF

SHEET
C3.0
 JOB NO. 23016



LEGEND:

- LANDSCAPE
- ROOF
- HARDSCAPE (CONC & AC)



NOT FOR CONSTRUCTION

PRELIMINARY
STORMWATER CONTROL PLAN
MIDPEN APARTMENT
 1088 38TH AVENUE, CAPITOLA, CALIFORNIA

APN 034-172-01	DESIGN DEVELOPMENT	DESIGN STAFF	STAFF
DATE	10/27/2023	DRAWN	STAFF

SHEET
C4.0
 JOB NO. 23016

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PARKING INFORMATION

VEHICLE PARKING
 CITY OF CAPITOLA REQUIREMENTS FOR MULTIFAMILY DWELLINGS:
 2.5 SPACES PER UNIT, 1 COVERED
 (52 UNITS)(2.5 SPACES) = 130 TOTAL PARKING SPACES

STATE DENSITY BONUS MAXIMUM PARKING REQUIREMENTS: UPON THE DEVELOPER'S REQUEST, THE CITY OF COUNTY MAY NOT REQUIRE MORE THAN THE FOLLOWING PARKING RATIOS FOR A DENSITY BONUS PROJECT (EXCLUSIVE OF PARKING FOR PERSONS WITH DISABILITIES):
 STUDIO & 1 BEDROOM UNITS: 1 SPACE/UNIT
 2 & 3 BEDROOM UNITS: 1.5 SPACES/UNIT
 ON SITE SPACES MAY BE PROVIDED THROUGH TANDEM OR UNCOVERED PARKING, BUT NOT ON STREET PARKING. REQUESTING THESE PARKING STANDARDS DOES NOT COUNT AS AN INCENTIVE OR CONSIDERATION.

MAXIMUM PARKING SPACES REQUIRED FOR RESIDENTIAL USE
 (1.5 SPACES)(25 STUDIO & 1 BEDROOM UNITS) = 25 SPACES
 (1.5 SPACES)(27 TWO & THREE-BEDROOM UNITS) = 41 SPACES
 TOTAL MAXIMUM PARKING SPACES REQUIRED: 66 SPACES

DESIGNATED GUEST AND STAFF PARKING: 4 SPACES

PROPOSED TOTAL VEHICLE SPACES: 70 SPACES
 58 STANDARD SPACES
 7 COMPACT SPACES
 3 ACCESSIBLE SPACES
 2 VAN-ACCESSIBLE SPACE
 1 PERPENDICULAR LOADING ZONE WITH ACCESS AISLE
 ACCESSIBLE BUS ROUTES WITH 1/2 MILE: SCM BUS ROUTES 66, 68, 12, 69

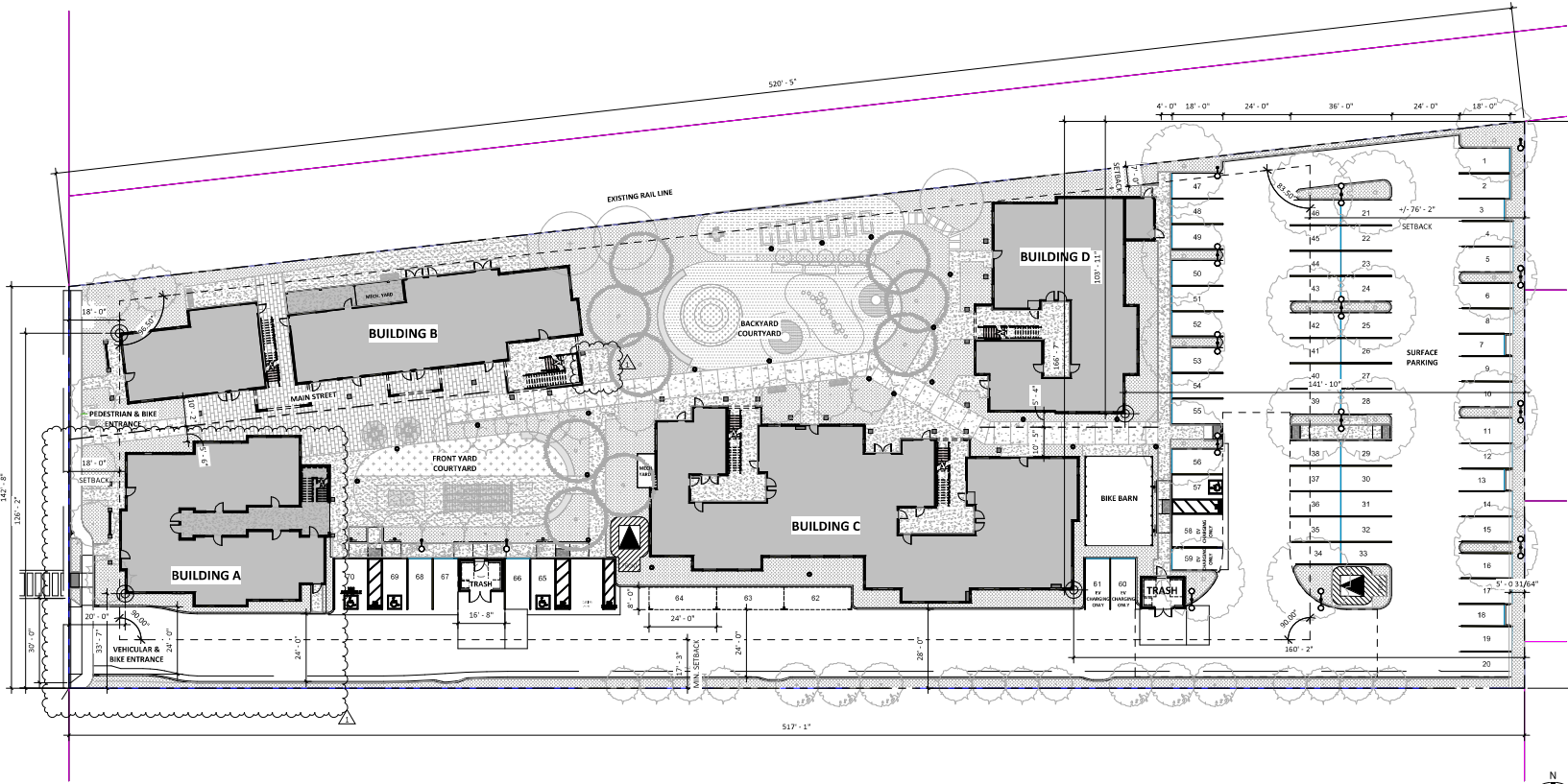
EV PARKING
 PER 2022 CALIFORNIA GREEN BUILDING CODE 4.106.4.2 & CRC 11B-228.3
 TOTAL PROPOSED EV SPACES: 28
 7 EV CAPABLE SPACES
 17 EV READY SPACES
 4 EV CHARGING STATION SPACES
 1 VAN-ACCESSIBLE EVCS
 0 STANDARD ACCESSIBLE EVCS
 0 AMBULATORY EVCS

BICYCLE PARKING
 MINIMUM REQUIRED FOR MULTIFAMILY DWELLINGS:
 SHORT TERM SPACES: 10% OF REQUIRED AUTOMOBILE SPACES, MIN. 4
 (10% AUTOMOBILE SPACES)(11) = 11 SPACES
 LONG TERM SPACES: 1

PROPOSED TOTAL RESIDENTIAL LONG-TERM SPACES: 12
 PROPOSED TOTAL RESIDENTIAL SHORT TERM SPACES: 1

LEGEND

- BUILDING LOCATION
- PROPERTY LINES
- NEW FIRE HYDRANT
- NEW LIGHT POLE AND STREET LIGHT
- NEW LIGHT POLE
- ACCESSIBLE PARKING STALL
- EV CHARGING ONLY
- BACKFLOW PREVENTER. SEE CIVIL DRAWINGS.



ARCHITECTURAL SITE PLAN | 1" = 20'-0" | 1/A3.11 | 1

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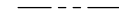
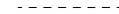


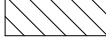
PLANNING RESUBMITTAL
 MARCH 5, 2024

ARCHITECTURAL SITE PLAN

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
 DRAWN: JG, KS, YI
 CHECKED: SV
 JOB: Z3003
PA1.1
 SCALE: As indicated

LEGEND

-  FIRE HOSE REACH LENGTH
-  PROPERTY LINE
-  FIRE APPARATUS LATERAL SLIP TURN AROUND
-  (N) FIRE HYDRANT
-  (E) FIRE HYDRANT
-  FIRE APPARATUS ACCESS ROAD

FIRE FLOW REQUIREMENTS FOR BUILDINGS

PER CFC 2022, APPENDIX C, TABLE B105.1(2)

FIRE FLOW CALCULATION AREA (square feet)	FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
BLDG A 7,600 SF	1,500	2
BLDG B 15,391 SF	2,000	2
BLDG C 23,240 SF	2,750	2
BLDG D 12,163 SF	2,000	2

FIRE HYDRANT LOCATIONS AND DISTRIBUTIONS

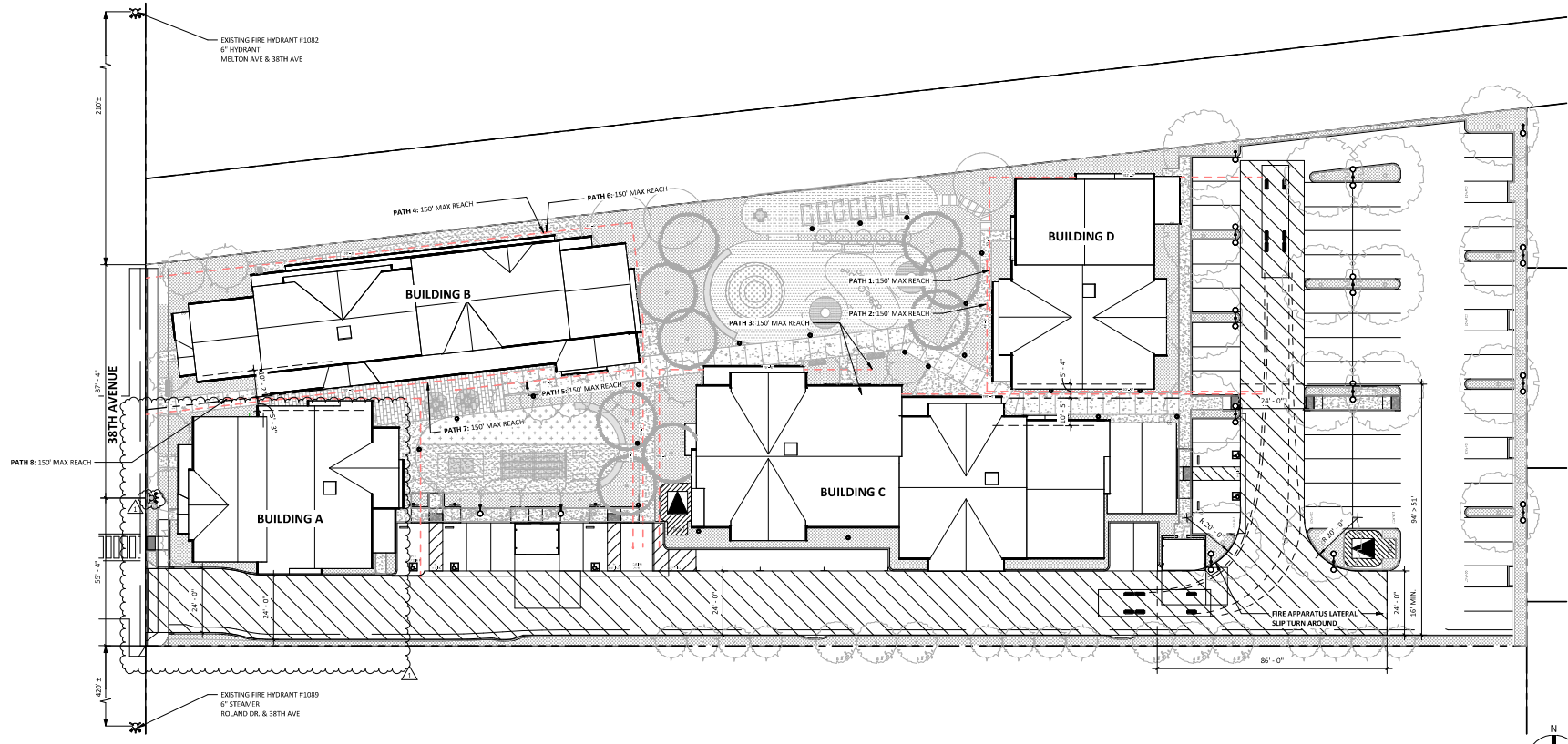
PER CFC 2022, APPENDIX C, TABLE C102.1

FIRE FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT
1,700 or less	1	600	250
1,751-2,250	2	450	225
2,251-3,750	3	450	225

THREE FIRE HYDRANTS PROPOSED WITH AVERAGE SPACING:
 EXISTING FIRE HYDRANT #1082 TO NEW HYDRANT #207-4"
 EXISTING FIRE HYDRANT #1089 TO NEW HYDRANT #207-5"
 AVERAGE SPACING BETWEEN HYDRANTS = 386'-4" > 250'

NOTES

PER MEETING WITH MIKE DEMAS FROM CENTRAL FIRE SANTA CRUZ, THERE IS NO LOCAL ORDINANCE REQUIRING LADDER PADS. ACCESS AROUND EACH BUILDING IS PROVIDED. REFER TO HOSE REACH PATHWAYS.



FIRE ACCESS PLAN 1" = 20'-0" 1/A3.11 1

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38TH AVE APARTMENTS
 DEVELOPMENT FOR
 MIDPEN HOUSING
 1098 38TH AVE, CAPITOLA, CA 95062

PLANNING RESUBMITTAL
 MARCH 5, 2024

FIRE ACCESS PLAN

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
 DRAWN: JG, KS, YJ
 CHECKED: SV
 JOB: Z9003
PA1.2
 SCALE: 1" = 20'-0"

EXTERIOR LIGHT FIXTURES

◆ PORCH WALL-MOUNTED FIXTURE
MOUNTING HEIGHT: +/- 6'-0" ABOVE GRADE
MANUFACTURER: TECH LIGHTING BY
VISUAL COMFORT & CO
PRODUCT LINE: ASH 10 OUTDOOR WALL



■ GENERAL WALL-MOUNTED FIXTURE
MOUNTING HEIGHT: +/- 6'-0" ABOVE GRADE
MANUFACTURER: LITHONIA
PRODUCT LINE: LED WEDGE WALL SCENCE
(80 CRI, 4000K, 3000LM)



⊙ SOFFIT MOUNTED FIXTURE
MOUNTING HEIGHT: +/- 9'-6" ABOVE GRADE
MANUFACTURER: BROWNLIE
PRODUCT LINE: AXIAL (ROUND)



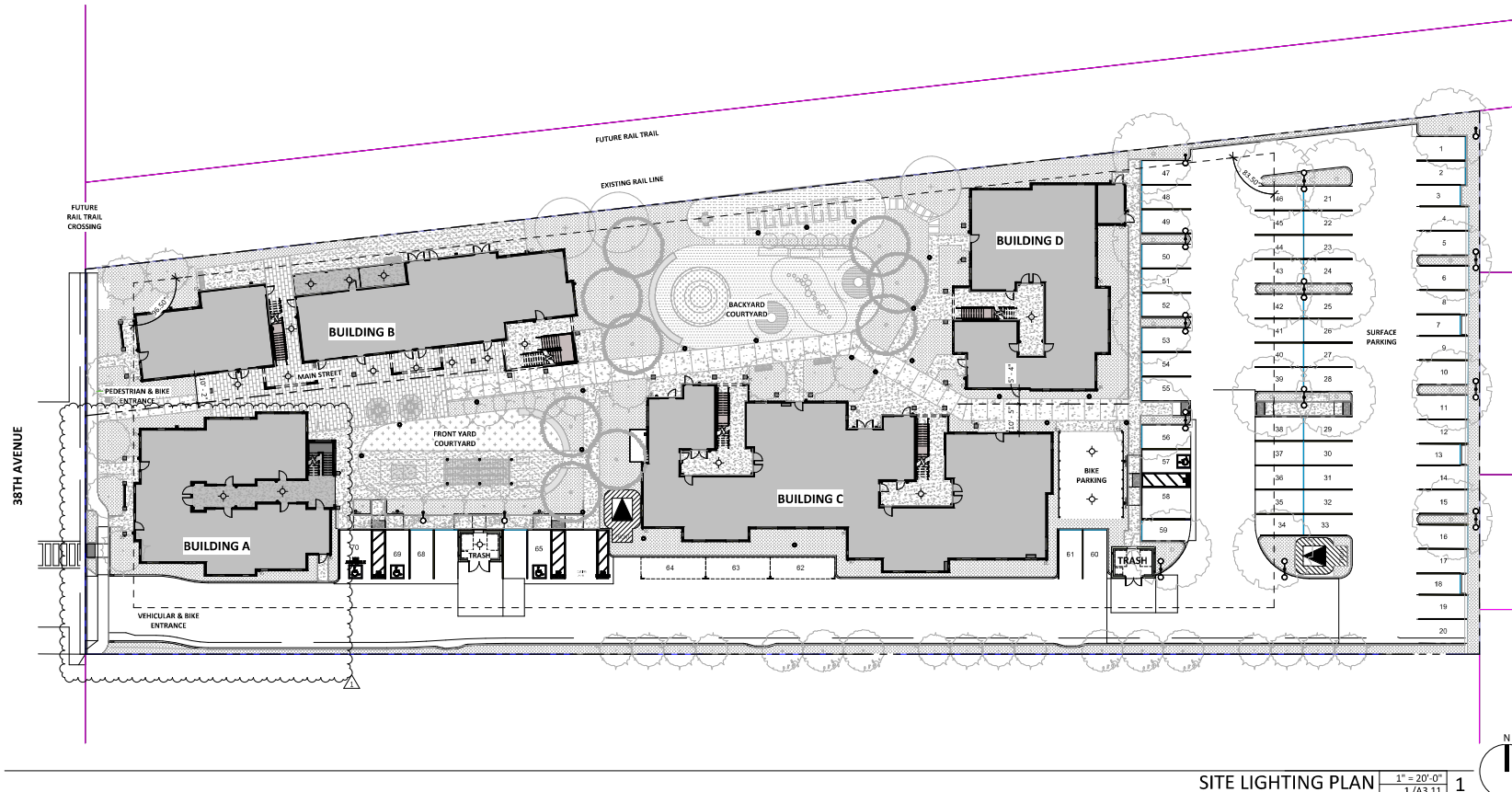
○ PERGOLA-MOUNTED FIXTURE
MOUNTING HEIGHT: +/- 6'-0" ABOVE GRADE



⊙ POLE FIXTURE (SINGLE HEAD AND DOUBLE HEAD)
POLE HEIGHT: +/- 12'-0" ABOVE GRADE
MANUFACTURER: GARDOO LIGHTING
PRODUCT LINE: PUREFORM LED POST AREA LIGHT
COLOR: BLACK OR CHARCOAL



⊙ POLE FIXTURE
POLE HEIGHT: +/- 8'-0" ABOVE GRADE
MANUFACTURER: GARDOO LIGHTING
PRODUCT LINE: PUREFORM LED POST TOP
COMFORT
COLOR: BLACK OR CHARCOAL



SITE LIGHTING PLAN 1" = 20'-0" 1/A3.11 1



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SITE LIGHTING PLAN

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CHECKED: SV
JOB: Z3003

PA1.3

SCALE: As indicated

PLAN SUBMITTAL

UNIT MIX INFORMATION

STUDIOS:
GROUND FLOOR FLATS: 4
TOTAL: 4

ONE BEDROOMS:
GROUND FLOOR FLATS: 8
UPPER LEVEL FLATS: 8
UPPER LEVEL TOWNHOMES: 3
TOTAL: 14 (1 MANAGER'S UNIT)

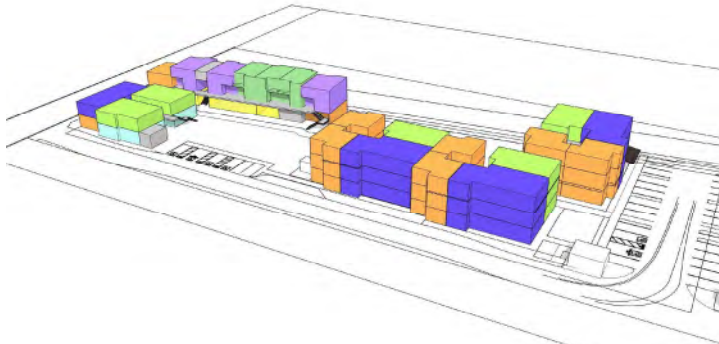
TWO BEDROOMS:
GROUND FLOOR FLATS: 3
UPPER LEVEL FLATS: 8
UPPER LEVEL TOWNHOMES: 3
TOTAL: 14 (1 MANAGER'S UNIT)

THREE BEDROOMS:
GROUND FLOOR FLATS: 3
UPPER LEVEL FLATS: 7
UPPER LEVEL TOWNHOMES: 3
TOTAL: 13

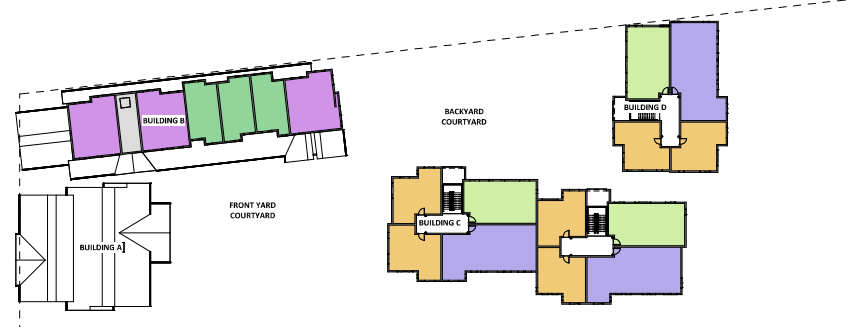
TOTAL UNITS: 52 UNITS

UNIT LEGEND

- STUDIO
- 1-BEDROOM
- 2-BEDROOM FLAT
- 2-BEDROOM TOWNHOUSE
- 3-BEDROOM FLAT
- 3-BEDROOM TOWNHOUSE
- AMENITY
- OFFICE
- UTILITY



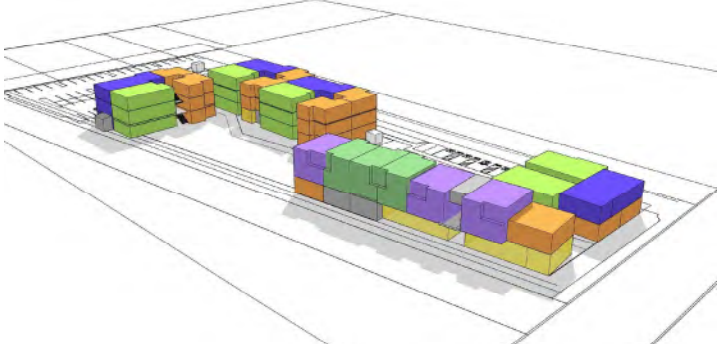
3D UNIT MIX VIEW FROM SOUTHEAST | NTS | 5



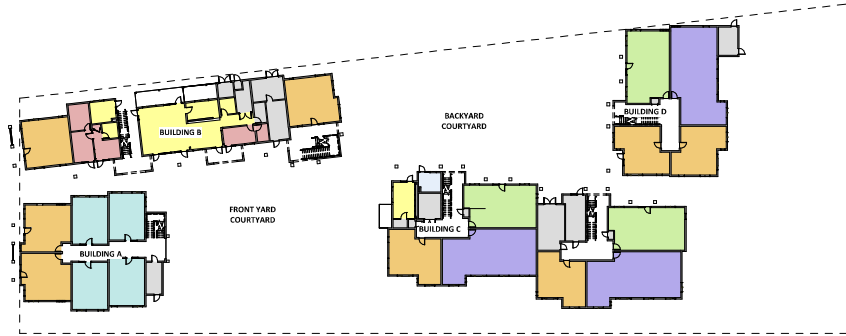
THIRD FLOOR PLAN - UNIT MIX | 1" = 30'-0" | 1/A3.11 | 3



SECOND FLOOR PLAN - UNIT MIX | 1" = 30'-0" | 1/A3.11 | 2



3D UNIT MIX VIEW FROM NORTHWEST | NTS | 4



FIRST FLOOR PLAN - UNIT MIX | 1" = 30'-0" | 1/A3.11 | 1

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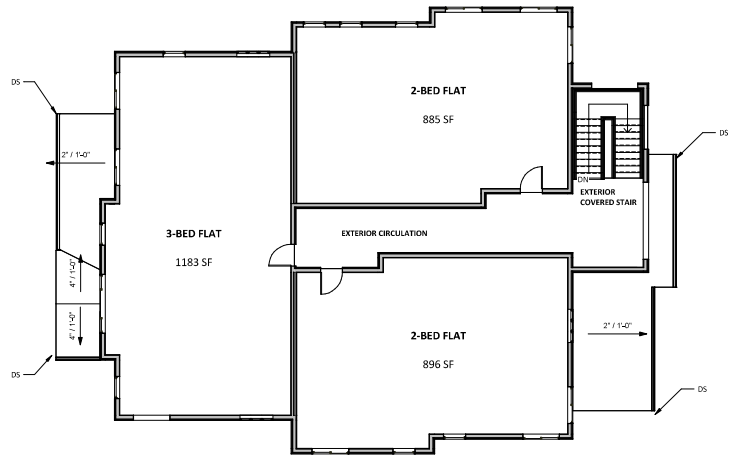
PLANNING RESUBMITTAL

MARCH 5, 2024

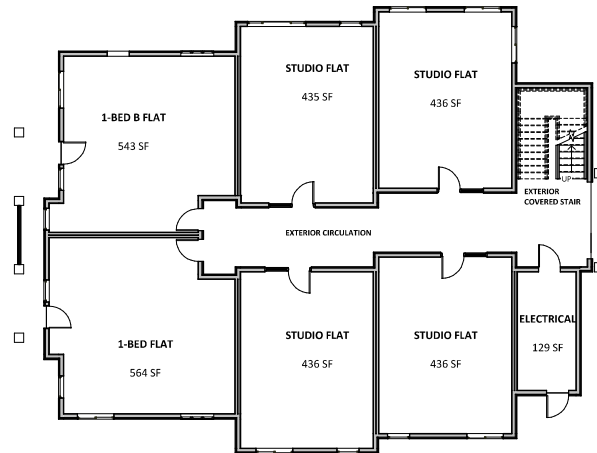
UNIT MIX PLANS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA1.4
SCALE: As indicated



BUILDING A - SECOND FLOOR PLAN 1/8" = 1'-0"
1/A3.11 2



BUILDING A - FIRST FLOOR PLAN 1/8" = 1'-0"
1/A3.11 1

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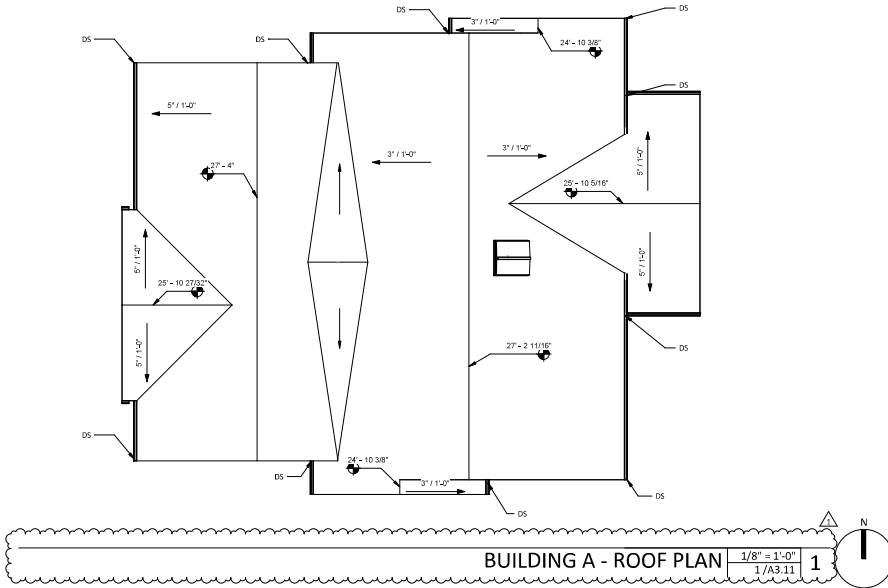
38TH AVE APARTMENTS
DEVELOPMENT FOR:
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PLANNING RESUBMITTAL
MARCH 5, 2024

BUILDING A - FLOOR PLANS

No.	DATE	ISSUE
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ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAA2.1
SCALE: 1/8" = 1'-0"



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PLANNING RESUBMITTAL

MARCH 5, 2024

BUILDING A - FLOOR AND ROOF PLAN

No.	DATE	ISSUE
1	03/03/24	REVISED

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAA2.2
SCALE: 1/8" = 1'-0"



BUILDING A - NORTH ELEVATION 1/8" = 1'-0" 3



BUILDING A - WEST ELEVATION 1/8" = 1'-0" 4



BUILDING A - EAST ELEVATION 1/8" = 1'-0" 2



BUILDING A - SOUTH ELEVATION 1/8" = 1'-0" 1

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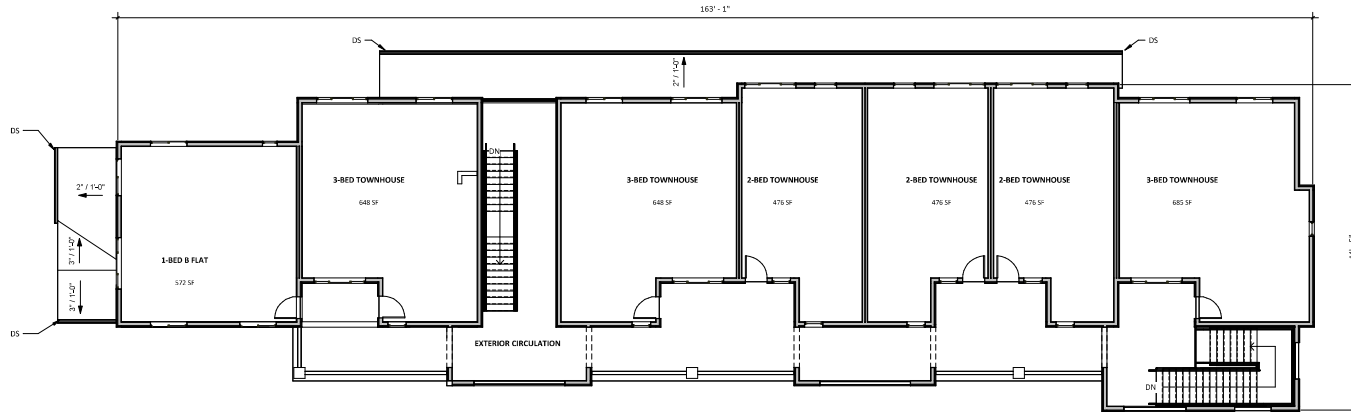
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PLANNING RESUBMITTAL
MARCH 5, 2024

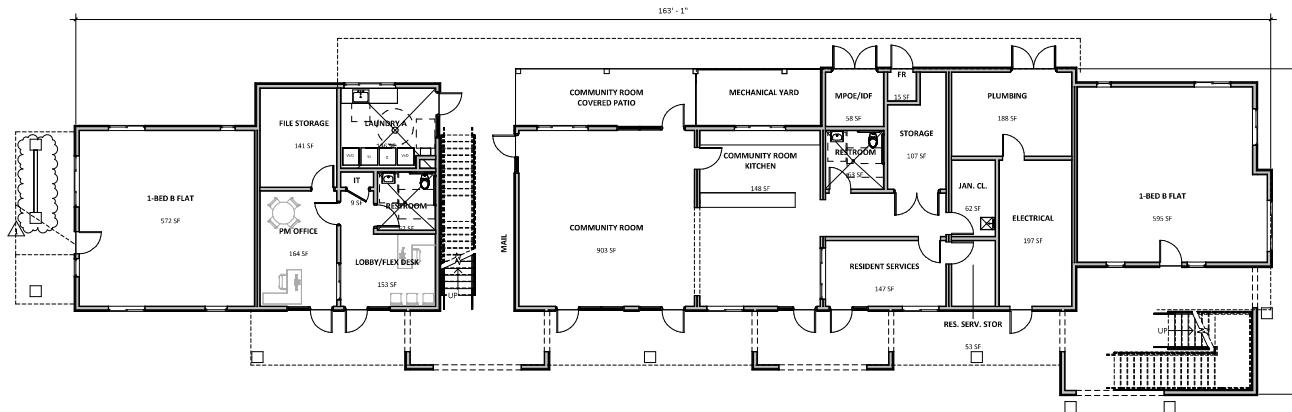
BUILDING A - EXTERIOR ELEVATIONS

No.	DATE	ISSUE
1	03/23/24	REVISED

ISSUED: 3/5/2024
DRAWN: JG, YJ
CHECKED: SV
JOB: Z9003
PAA3.1
SCALE: 1/8" = 1'-0"



BUILDING B - SECOND FLOOR | 3/8" = 1'-0" | 1/A4.11 | 2



BUILDING B - FIRST FLOOR PLAN | 3/8" = 1'-0" | 1/A4.11 | 1



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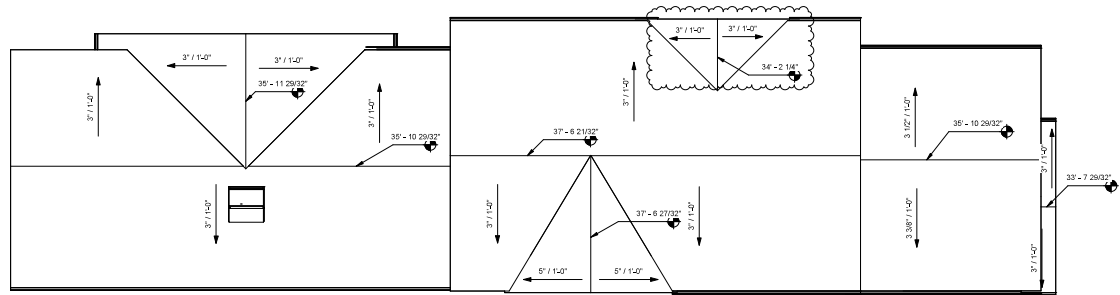
PLANNING RESUBMITTAL

MARCH 5, 2024

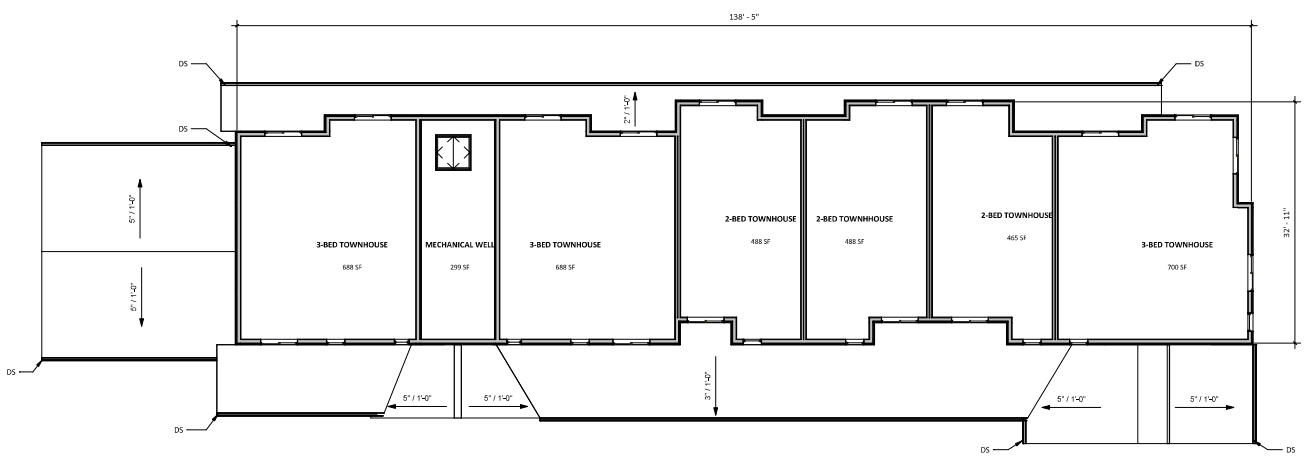
BUILDING B - FLOOR PLANS

No.	DATE	ISSUE
1	03/03/24	REVISED

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAB-2.1
SCALE: 1/8" = 1'-0"



BUILDING B - ROOF PLAN $\frac{1/8" = 1'-0"}{1/4A.11}$ 2



BUILDING B - THIRD FLOOR $\frac{1/8" = 1'-0"}{1/4A.11}$ 1

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38TH AVE APARTMENTS

DEVELOPMENT FOR:
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PLANNING RESUBMITTAL

MARCH 5, 2024

BUILDING B - FLOOR AND ROOF PLAN

No.	DATE	ISSUE
1	03/23	REVISED

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PAB-2.2
SCALE: 1/8" = 1'-0"



BUILDING B - NORTH ELEVATION | 1/8" = 1'-0" | 3



BUILDING B - WEST ELEVATION | 1/8" = 1'-0" | 4



BUILDING B - EAST ELEVATION | 1/8" = 1'-0" | 2



BUILDING B - SOUTH ELEVATION | 1/8" = 1'-0" | 1

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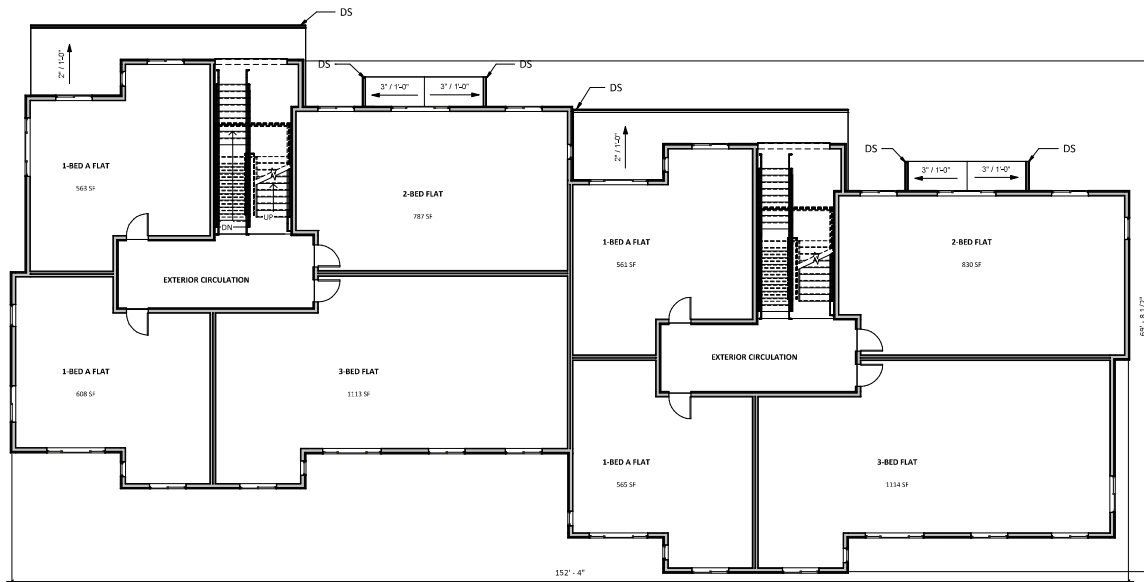
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MARCH 5, 2024

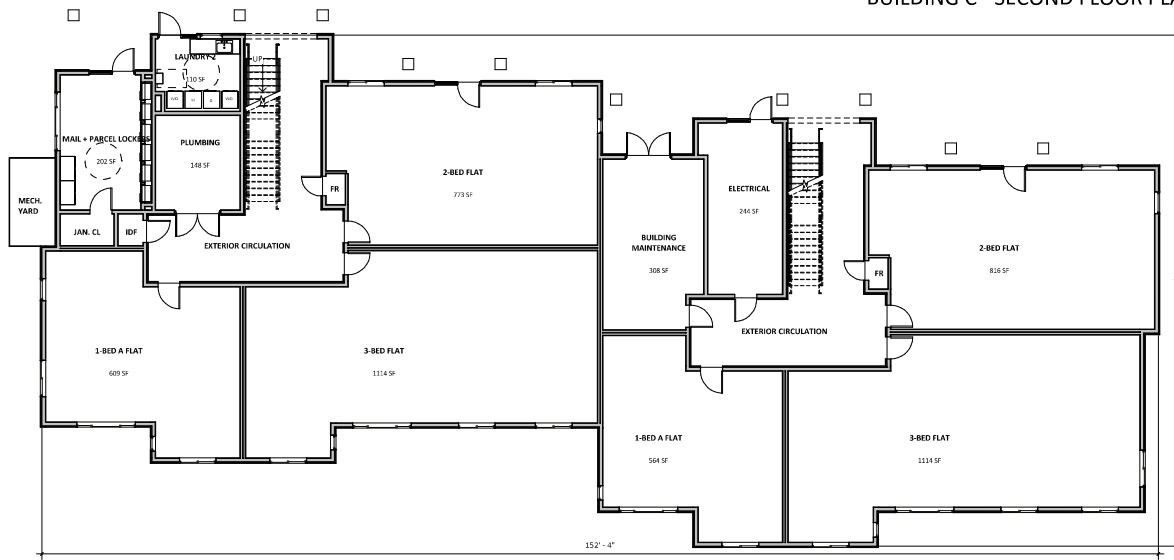
BUILDING B - EXTERIOR ELEVATIONS

No.	DATE	ISSUE
1	03/07/23	REVISED

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAB-3.1
SCALE: 1/8" = 1'-0"



BUILDING C - SECOND FLOOR PLAN 1/8" = 1'-0" 1/A3.11 2



BUILDING C - FIRST FLOOR PLAN 1/8" = 1'-0" 1/A3.11 1



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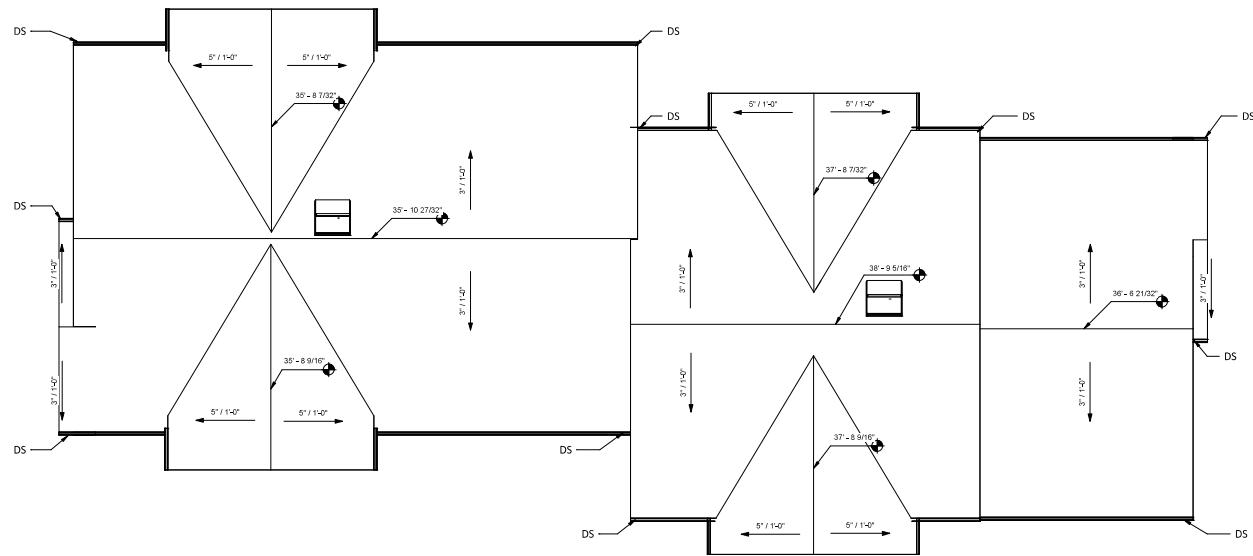
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MARCH 5, 2024

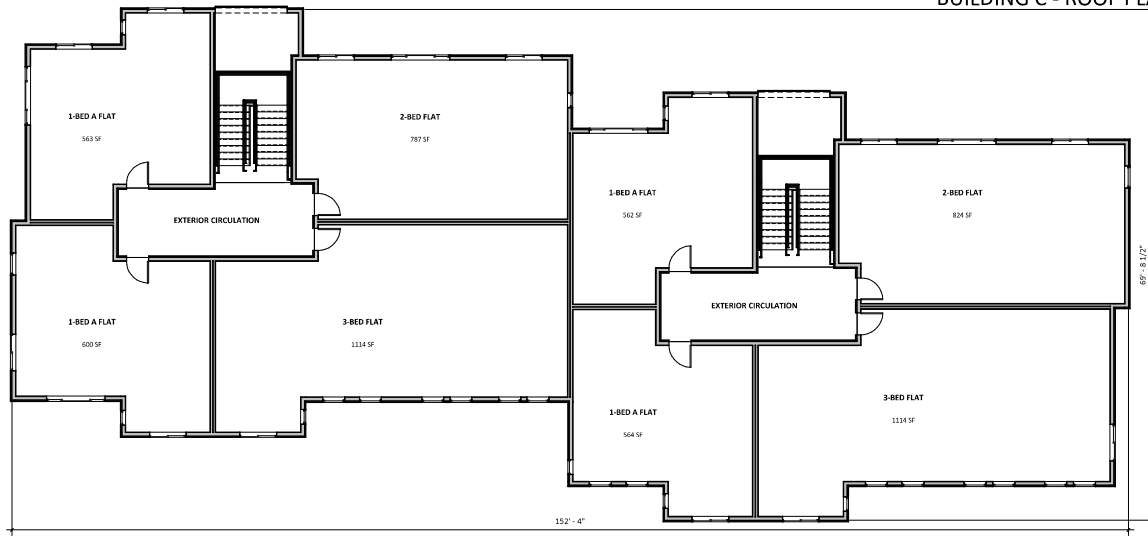
BUILDING C - FLOOR PLANS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAC2.1
SCALE: 1/8" = 1'-0"



BUILDING C - ROOF PLAN $\frac{1}{8}'' = 1'-0''$ 2
1/A3.11



BUILDING C - THIRD FLOOR PLAN $\frac{1}{8}'' = 1'-0''$ 1
1/A3.11



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PLANNING RESUBMITTAL

MARCH 5, 2024

BUILDING C - FLOOR AND ROOF PLANS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PAC2.2
SCALE: 1/8" = 1'-0"



BUILDING C - NORTH ELEVATION | 1/8" = 1'-0" | 3



BUILDING C - WEST ELEVATION | 1/8" = 1'-0" | 4



BUILDING C - EAST ELEVATION | 1/8" = 1'-0" | 2



BUILDING C - SOUTH ELEVATION | 1/8" = 1'-0" | 1

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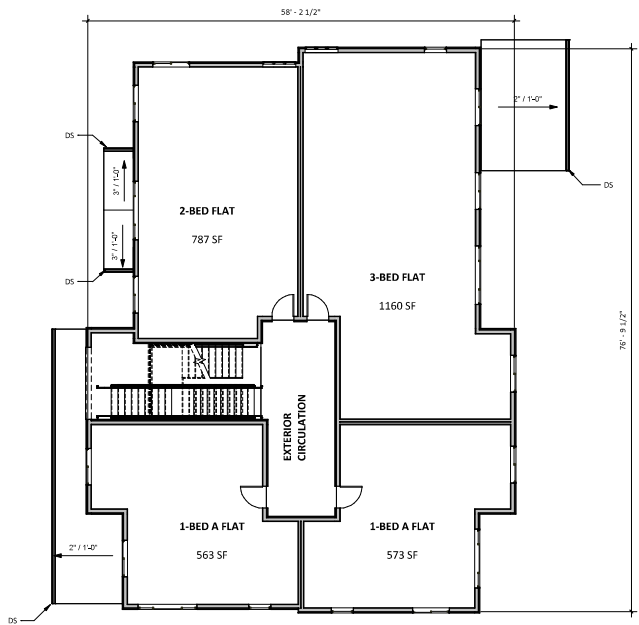
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MARCH 5, 2024

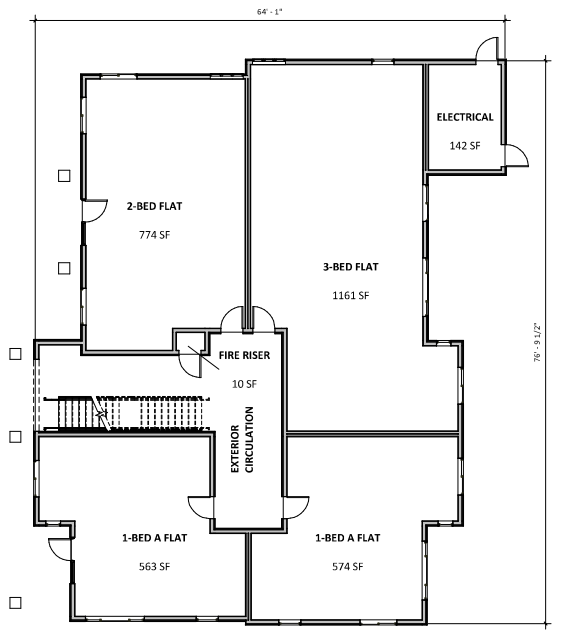
BUILDING C - EXTERIOR ELEVATIONS

No.	DATE	ISSUE
1	03/23/24	REVISION 1

ISSUED: 3/5/2024
DRAWN: JG, YJ, KS
CHECKED: SV
JOB: Z3003
PAC3.1
SCALE: 1/8" = 1'-0"



BUILDING D - SECOND FLOOR PLAN | 1/8" = 1'-0" | 1/A3.11 | 2



BUILDING D - FIRST FLOOR PLAN | 1/8" = 1'-0" | 1/A3.11 | 1

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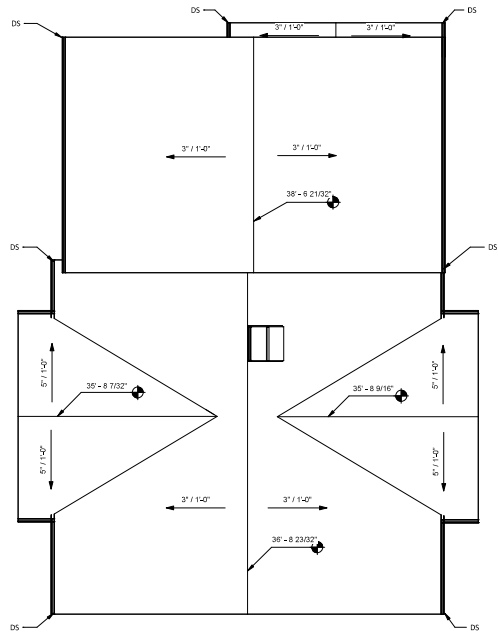
PLANNING RESUBMITTAL

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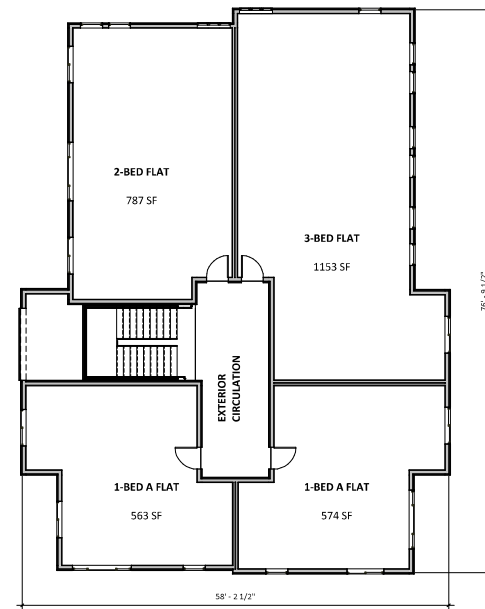
BUILDING D - FLOOR PLANS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PAD2.1
SCALE: 1/8" = 1'-0"



BUILDING D - ROOF PLAN $\frac{1/8" = 1'-0"}{1/A3.11}$ 2



BUILDING D - THIRD FLOOR PLAN $\frac{1/8" = 1'-0"}{1/A3.11}$ 1



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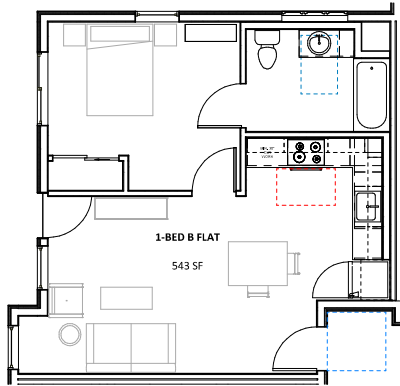
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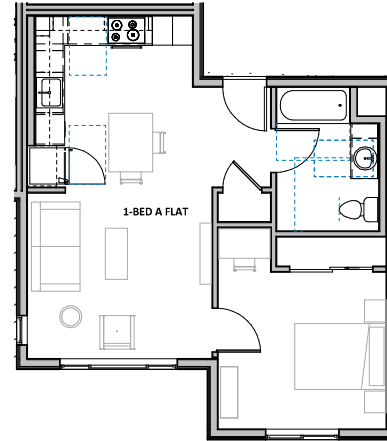
BUILDING D - EXTERIOR ELEVATIONS

No.	DATE	ISSUE
1	03/23/24	REVISED

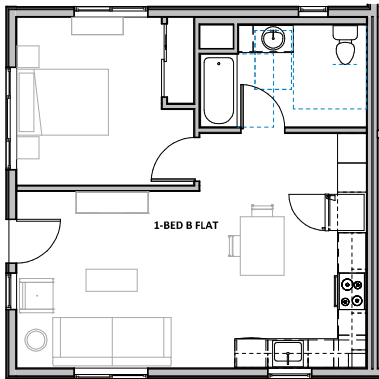
ISSUED: 3/5/2024
DRAWN: JG, YJ
CHECKED: SV
JOB: Z3003
PAD3.1
SCALE: 1/8" = 1'-0"



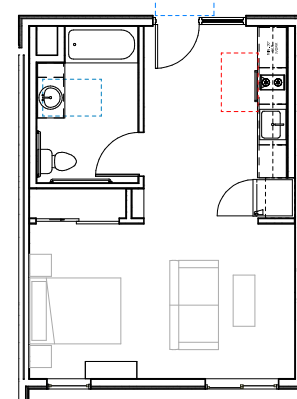
1-BEDROOM B FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 4



1-BEDROOM A FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 2



1-BEDROOM C FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 3



STUDIO FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 1

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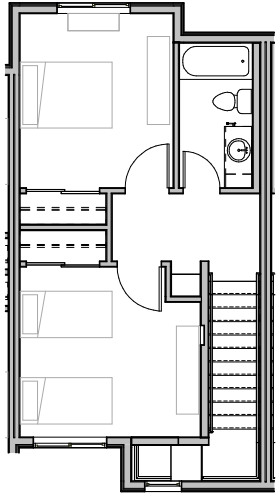
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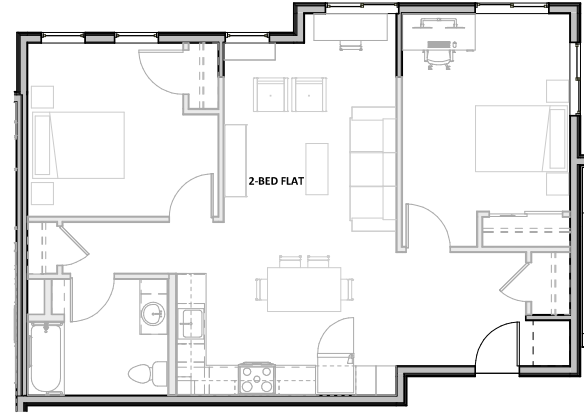
STUDIO AND 1-BEDROOM UNIT PLANS

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

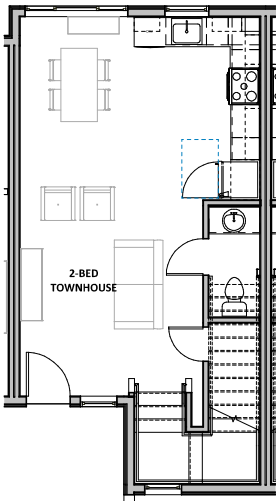
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DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PA2.1
SCALE: 1/4" = 1'-0"



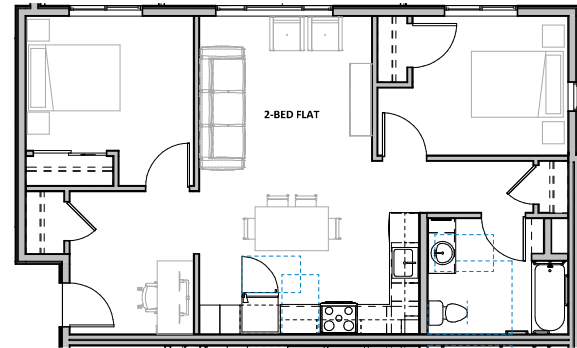
2-BEDROOM TOWNHOUSE - UPPER FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 4



2-BEDROOM FLAT B FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 2



2-BEDROOM TOWNHOUSE - LOWER FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 3



2-BEDROOM FLAT A FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

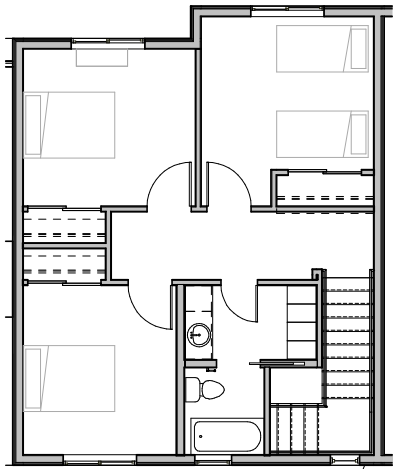
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MARCH 5, 2024

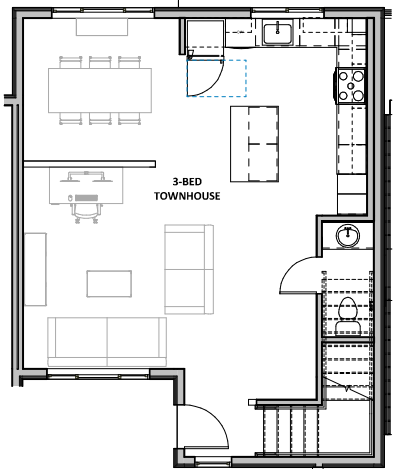
2-BEDROOM UNIT PLANS

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

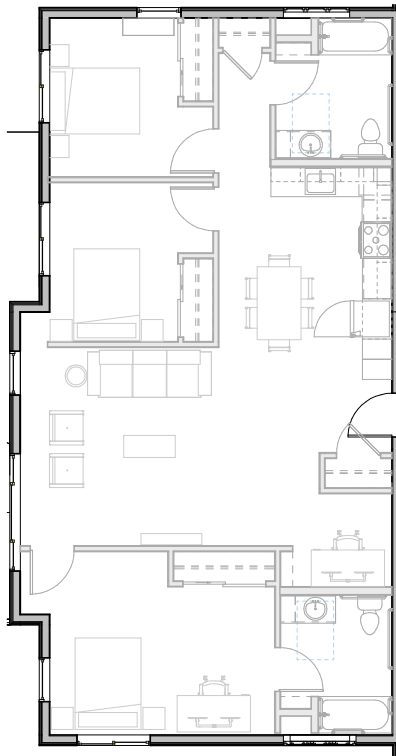
ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PA2.2
SCALE: 1/4" = 1'-0"



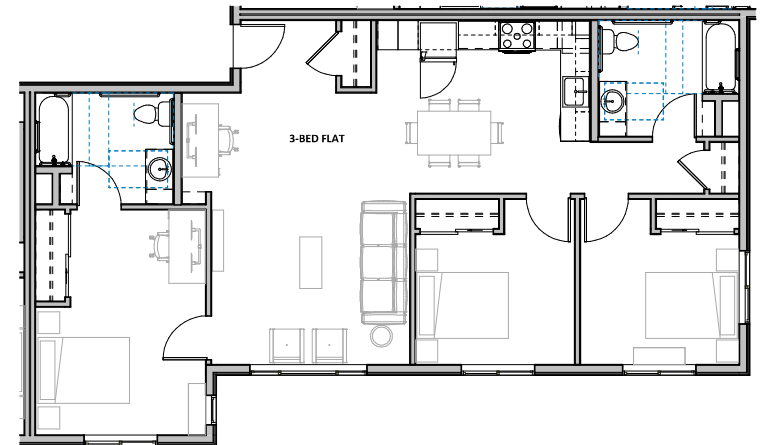
3-BEDROOM TOWNHOUSE - UPPER FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 4



3-BEDROOM TOWNHOUSE - LOWER FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 3



3-BEDROOM FLAT B FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 2



3-BEDROOM FLAT A FLOOR PLAN $\frac{1/4" = 1'-0"}{1/A3.11}$ 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

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MARCH 5, 2024

3-BEDROOM UNIT PLANS

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PA2.3
SCALE: 1/4" = 1'-0"

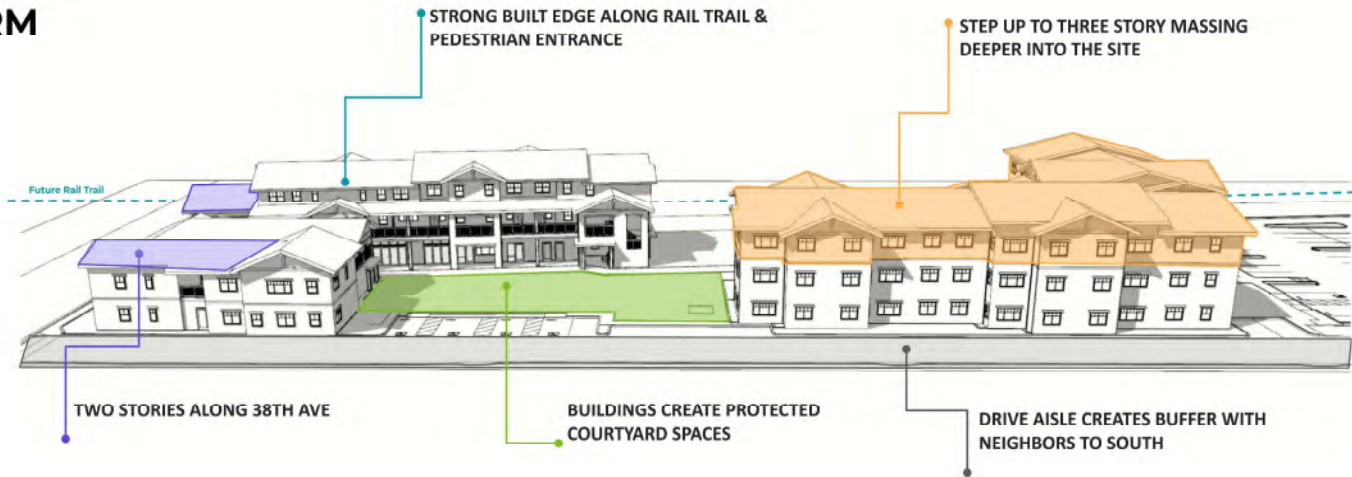
COLOR INSPIRATION



ARCHITECTURAL DESIGN NARRATIVE:

FOR THE CHARACTER OF 1098 38TH AVENUE, WE ENVISION A PLACE THAT FEELS ACCESSIBLE, WELCOMING, AND SAFE. IT'S FRESH AND BREEZY LIKE THE TOWN AND COASTLINE OF CAPITOLA, YET WARM LIKE HOME, TAKING CUES FROM HISTORIC CRAFTSMAN BEACH HOUSES FROM THE SURROUNDING NEIGHBORHOODS. THE RESULTING STYLE, AFFECTIONATELY TERMED CONTEMPORARY CALIFORNIA CRAFTSMAN, BLENDS TRADITIONAL AND MODERN AESTHETICS, CREATING A DESIGN LANGUAGE THAT FEELS FAMILIAR AND RELATABLE ACROSS A SPECTRUM OF GENERATIONS, WHILE AN ATTENTION TO SIMPLICITY OF FORMS AND DURABILITY OF MATERIALS YIELDS A SENSE OF TIMELESSNESS.

FORM



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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

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DESIGN NARRATIVE

No.	DATE	ISSUE

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JOB: Z3003
PA4.1
SCALE:



VIEW FROM 38TH AVE | NTS | 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING RESUBMITTAL

MARCH 5, 2024

EXTERIOR CONCEPTUAL
RENDERINGS

No.	DATE	ISSUE

ISSUED:	3/5/2024
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CHECKED:	SV
JOB:	Z3003
PA4.2	
SCALE:	



VIEW FROM COURTYARD TO BUILDINGS C & D | NTS | 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING RESUBMITTAL
MARCH 5, 2024

EXTERIOR CONCEPTUAL
RENDERINGS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA4.3
SCALE:



VIEW FROM COURTYARD TO BUILDINGS A & B — NTS 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
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PLANNING RESUBMITTAL

MARCH 5, 2024

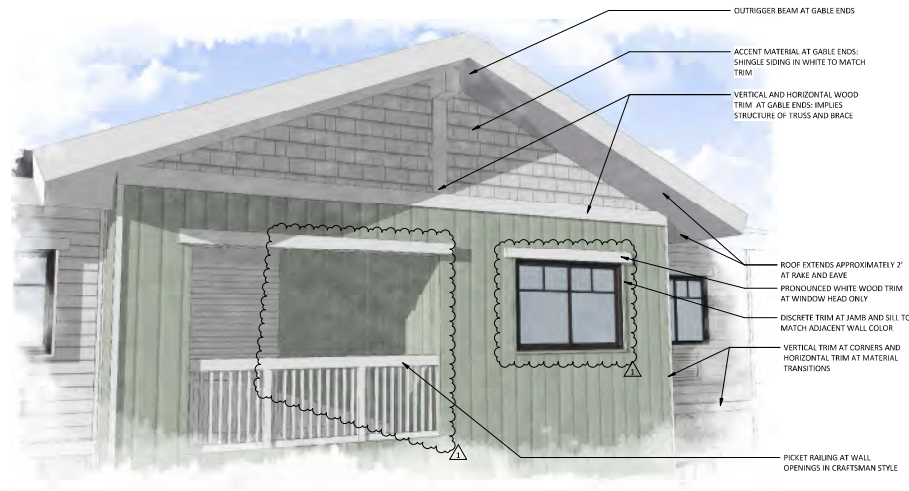
EXTERIOR CONCEPTUAL
RENDERINGS

No.	DATE	ISSUE

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA4.4
SCALE:



ENTRY PORCH DETAIL | NTS | 3



ROOF AND WINDOW DETAIL | NTS | 2



CONTEMPORARY CALIFORNIA CRAFTSMAN REFERENCES | NTS | 1

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
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PLANNING RESUBMITTAL
MARCH 5, 2024

ARCHITECTURAL CHARACTER -
CONTEMPORARY CALIFORNIA
CRAFTSMAN

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z3003
PA4.5
SCALE:



COLOR AND MATERIALS PALETTE



1. ASPHALT SHINGLE
GAF TIMBERLINE HDZ
PEWTER GRAY



2. BOARD & BATTEN
FIBER CEMENT SIDING
PAINT: SHERWIN-WILLIAMS
SW 7015 OR SW 7005
REPOSE GRAY PURE WHITE
PER ELEVATIONS



3. LAP SIDING
FIBER CEMENT SIDING
PAINT: SHERWIN-WILLIAMS
SW 7015 OR SW 7005
REPOSE GRAY PURE WHITE
PER ELEVATIONS



4. SHINGLE SIDING
FIBER CEMENT SIDING
PAINT: SHERWIN-WILLIAMS
SW 7005 PURE WHITE



5. FASCIA/TRIM
FIBER CEMENT
PAINT: SHERWIN-WILLIAMS
SW 7005 PURE WHITE



6. UNIT ENTRY DOORS
PAINT: SHERWIN-WILLIAMS
SW 6376
GOLD COAST



7. VINYL WINDOW FRAMES
COLOR: CHARCOAL GRAY
FROM MANUFACTURER'S
STANDARD COLORS



8. BUILDING LIGHT FIXTURE 1
TECH LIGHTING
ASH 10 WALL SCONCE
CHARCOAL

AT BUILDING A



A1. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 6512
BALMY



A2. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 9058
SECRET COVE

AT BUILDING B



B1. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 6457
KIND GREEN



B2. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 2811
ROCKWOOD BLUE GREEN

AT BUILDING C



C1. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 6723
JARDIN



C2. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 6439
GREENFIELD

AT BUILDING D



D1. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 7601
DOCKSIDE BLUE



D2. ACCENT COLOR
PAINT: SHERWIN-WILLIAMS
SW 7604
SMOKY BLUE



9. BUILDING LIGHT FIXTURE 2
LITHONIA
LED WEDGE WALL SCONCE
BLACK OR CHARCOAL



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38TH AVE APARTMENTS

DEVELOPMENT FOR:
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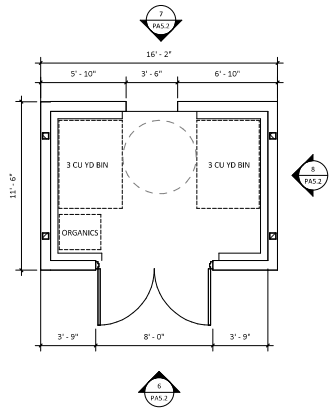
PLANNING RESUBMITTAL

MARCH 5, 2024

MATERIALS BOARD

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

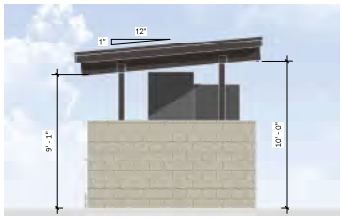
ISSUED:	3/5/2024
DRAWN:	JG, KS, YJ
CHECKED:	SV
JOB:	Z3003
PA5.1	
SCALE:	1" = 50'-0"



TRASH ENCLOSURE PLAN | 1/4" = 1'-0" | 5



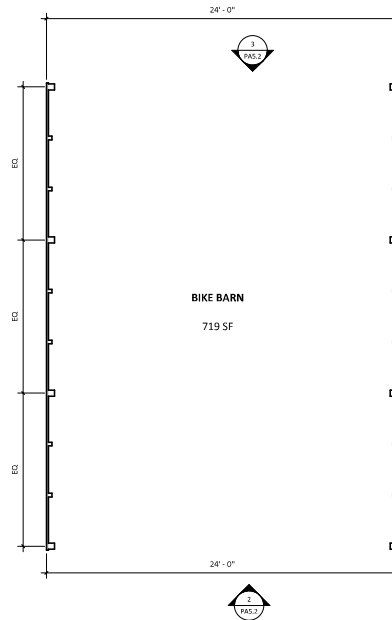
FRONT ELEVATION | 1/4" = 1'-0" | 1/A2.11 | 6



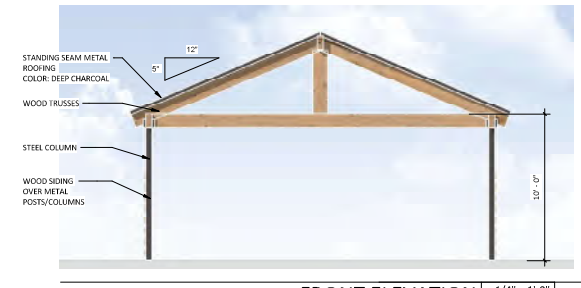
SIDE ELEVATIONS | 1/4" = 1'-0" | 1/A2.11 | 8



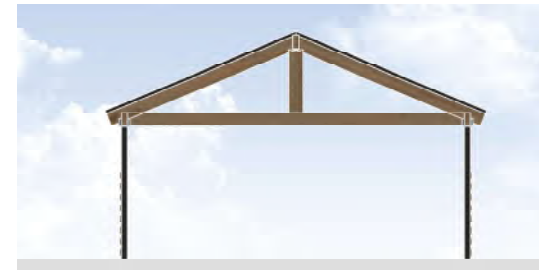
REAR ELEVATION | 1/4" = 1'-0" | 1/A2.11 | 7



BIKE BARN PLAN | 1/4" = 1'-0" | 1



FRONT ELEVATION | 1/4" = 1'-0" | 1/A2.11 | 2



REAR ELEVATION | 1/4" = 1'-0" | 1/A2.11 | 3



SIDE ELEVATIONS | 1/4" = 1'-0" | 1/A2.11 | 4

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DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

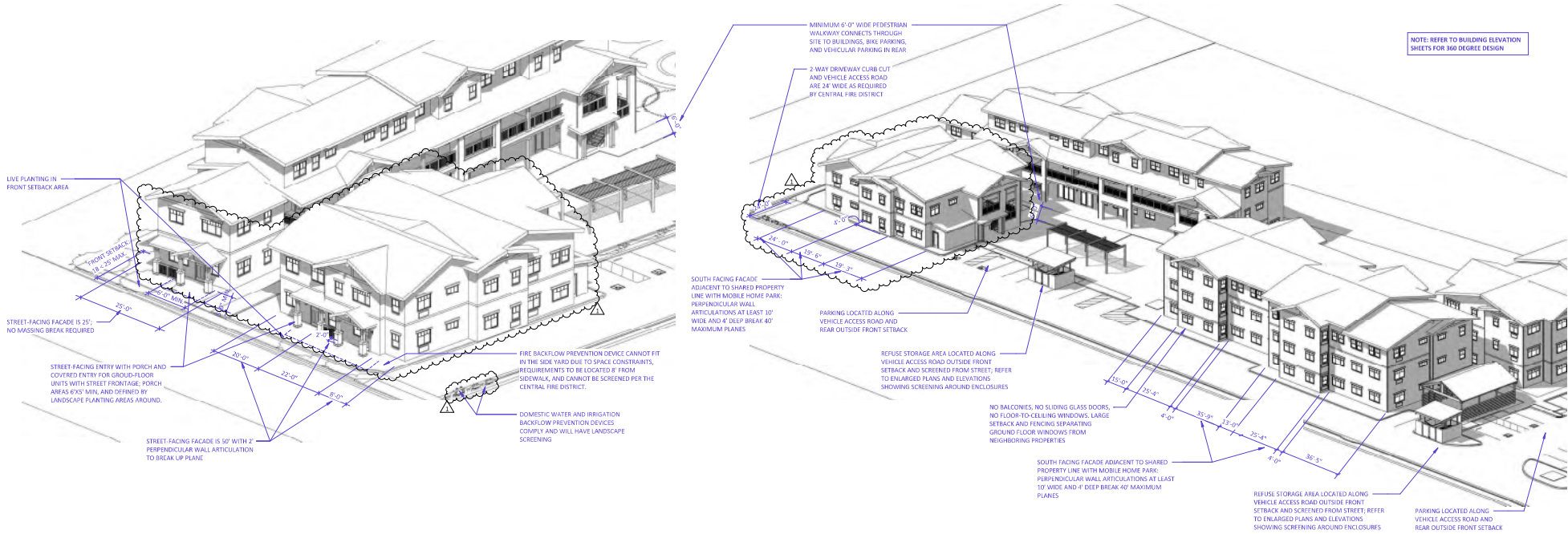
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MARCH 5, 2024

SITE ELEMENTS - TRASH ENCLOSURE & BIKE BARN

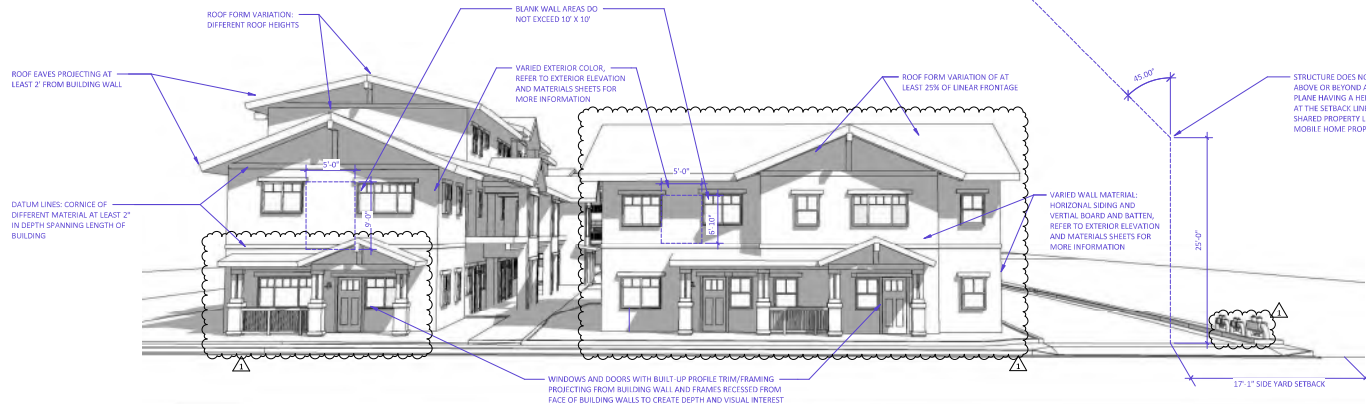
No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
DRAWN: JG, KS, YJ
CHECKED: SV
JOB: Z9003
PA5.2
SCALE: 1/4" = 1'-0"



SOUTHWEST AXONOMETRIC DIAGRAM NTS 3

SOUTHEAST AXONOMETRIC DIAGRAM NTS 2



STREET FRONTAGE DIAGRAM NTS 1

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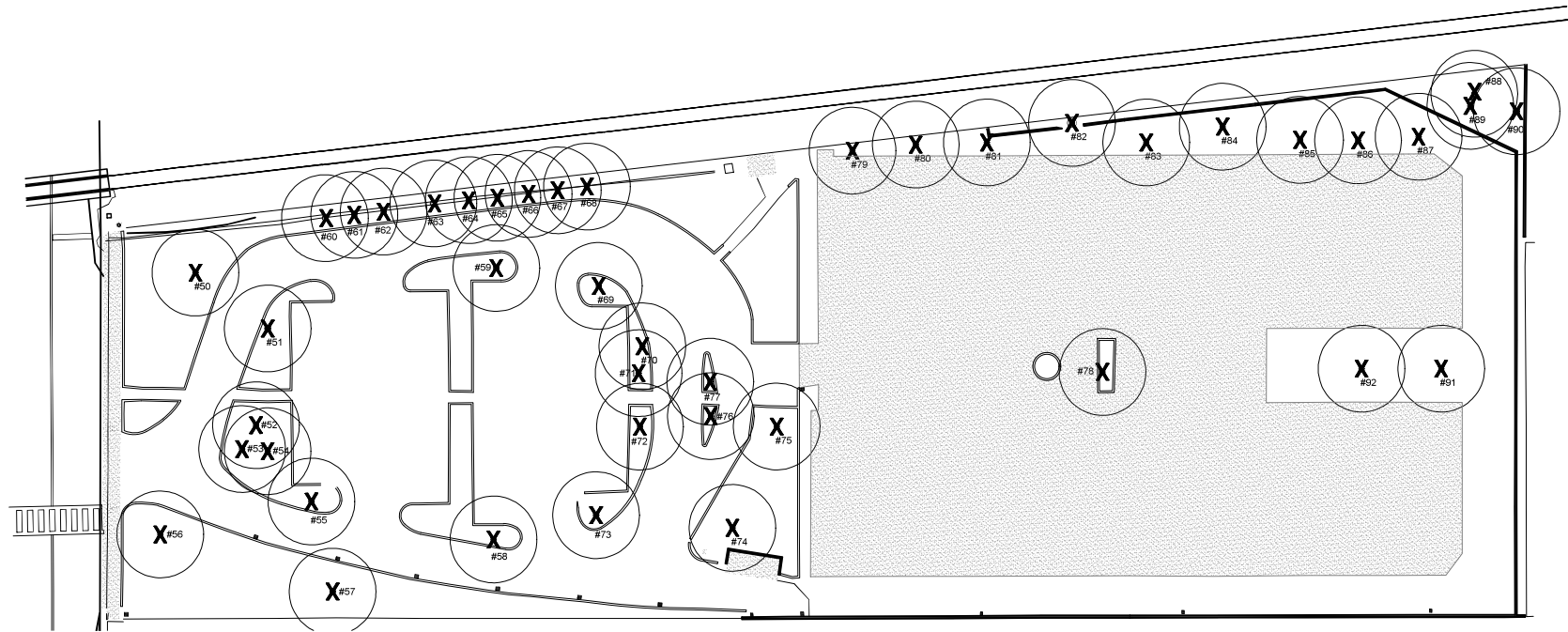
38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

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MARCH 5, 2024

OBJECTIVE DESIGN STANDARDS

No.	DATE	ISSUE
1	03/07/2024	PLANNING RESUBMITTAL

ISSUED: 3/5/2024
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CHECKED: SV
JOB: Z3003
PA6.1
SCALE:

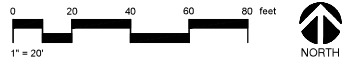


Tree #	Species	Trunk Diameter @ 48 inches a.g.
T50	flaxleaf paperbark (<i>Meibomia frantfofo</i>)	24"
T51	flaxleaf paperbark	20"
T52	queen palm	12"
T53	[<i>Syagrus romanzoffiana</i>]	9"
T54	queen palm	6"
T55	flaxleaf paperbark	22"
T56	queen palm	5"
T57	flaxleaf paperbark	30"
T58	flaxleaf paperbark	18"
T59	flaxleaf paperbark	16", 13"
T60	Monterey cypress (<i>Platanus macrocarpa</i>)	18"
T61	Monterey cypress	13"
T62	Monterey cypress	7", 6", 5"
T63	Monterey cypress	14"
T64	queen palm	10"
T65	queen palm	9"
T66	queen palm	9"
T67	queen palm	4"
T68	queen palm	4"
T69	flaxleaf paperbark	19"
T70	queen palm	12"
T71	queen palm	12"

Tree #	Species	Trunk Diameter @ 48 inches a.g.
T72	flaxleaf paperbark	18"
T73	flaxleaf paperbark	22"
T74	queen palm	13"
T75	queen palm	9"
T76	queen palm	8"
T77	queen palm	6"
T78	queen palm	14"
T79	queen palm	4"
T80	queen palm	4"
T81	queen palm	5"
T82	Monterey pine (<i>Pinus radiata</i>)	44"
T83	queen palm	4"
T84	queen palm	4"
T85	queen palm	6"
T86	queen palm	4"
T87	queen palm	6"
T88	fern palm (<i>Washingtonia spp.</i>)	15"
T89	coast live oak (<i>Quercus agrifolia</i>)	9"
T90	podocarpus (<i>Podocarpus macrophyllus</i>)	15" (at base) multi-trunk
T91	queen palm	4"
T92	queen palm	4"

LEGEND

- TREE
- TREE TO BE REMOVED
- FENCE



BASE LANDSCAPE ARCHITECTURE
 BASE Landscape Architecture
 145A Lower Terrace
 San Francisco, CA 94114
 www.baselandscape.com

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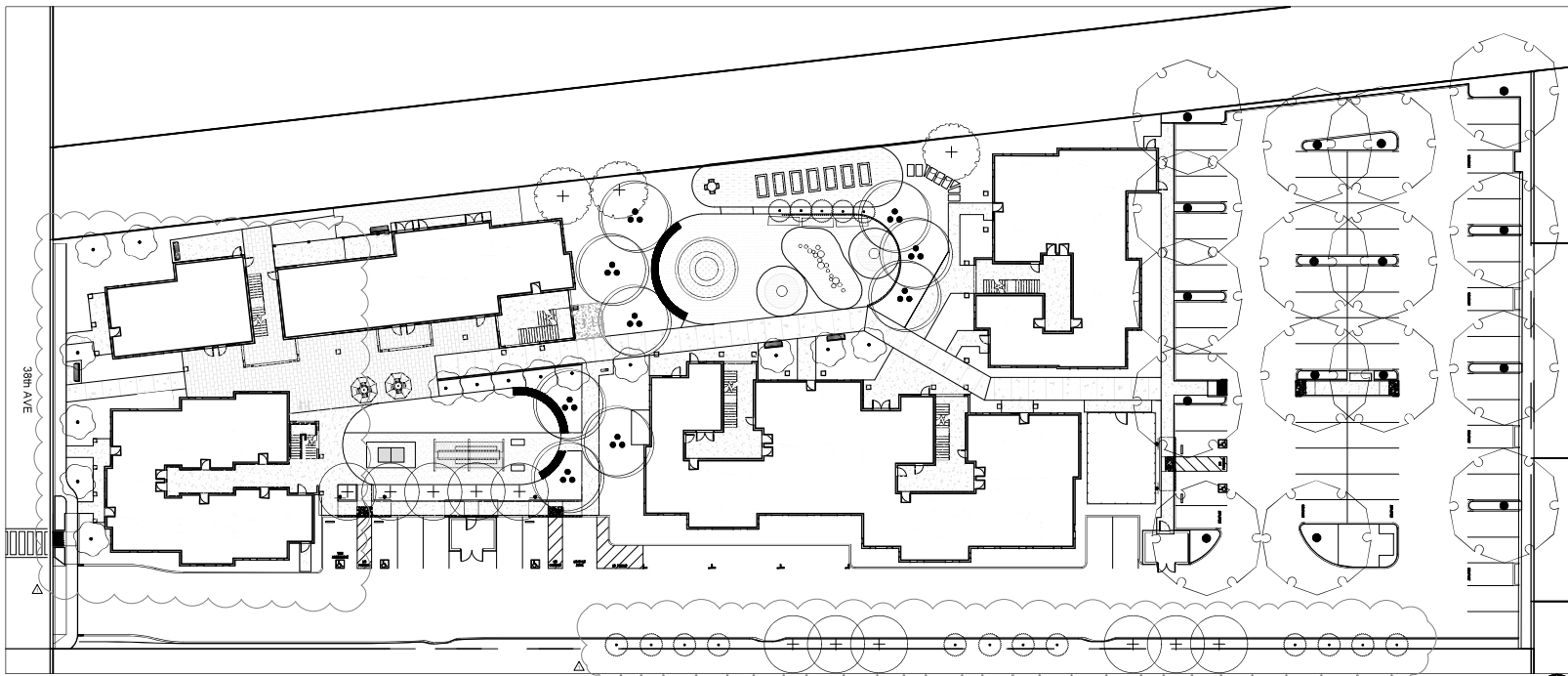
38TH AVE APARTMENTS
 DEVELOPMENT FOR:
MIDPEN HOUSING
 1098 38TH AVE, CAPITOLA, CA 95062

PLANNING SUBMITTAL
 OCTOBER 23, 2023

TREE PROTECTION AND REMOVAL PLAN

No.	DATE	ISSUE

ISSUED: 10.23.2023
 DRAWN: SW, JR
 CHECKED: SW
 JOB: Z9003
PL1.1
 SCALE: 1" = 20'-0"



PLANT SCHEDULE								
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	MATURE SIZE	MATURE CANOPY
TREES								
	HYM FLA	11	HYMENOSPORUM FLAVUM	SWEETSHADE	24" BOX	MODERATE	35' H X 20' W	300SF
	MAG VIR	15	MAGNOLIA VIRGINIANA 'JIM WILSON'	MOONGLOW® SWEETBAY MAGNOLIA	24" BOX	MODERATE	35' H X 20' W	300SF
	POD ELO	17	PODOCARPUS ELONGATUS 'MONMAL'	ICEE BLUE® YELLOW WOOD	15 GAL	MODERATE	15'-25' H X 10'-15' W	110SF
	SAP SAP	3	SAPINDUS SAPONARIA	WINGLEAF SOAPBERRY	15 GAL	LOW	25'-40' H X 15'-30' W	700SF
	ULM DRA	16	ULMUS PARVIFOLIA 'DRAKE'	DRAKE LACEBARK ELM	24" BOX	LOW	50' H X 40' W	1250SF
	CHI TAS	9	X CHITALPA TASHKENTENSIS	CHITALPA	24" BOX	LOW	20'-30' H X 20'-30' W	700SF

TREE REPLACEMENT CALCULATIONS	
Number of trees removed - See L1.1	43
Number of replacement trees	71
Total Site Area (sq. ft.)	88,997
Canopy coverage of replacement trees (sq. ft.)	38,070
Canopy coverage as percent of total site area	43%



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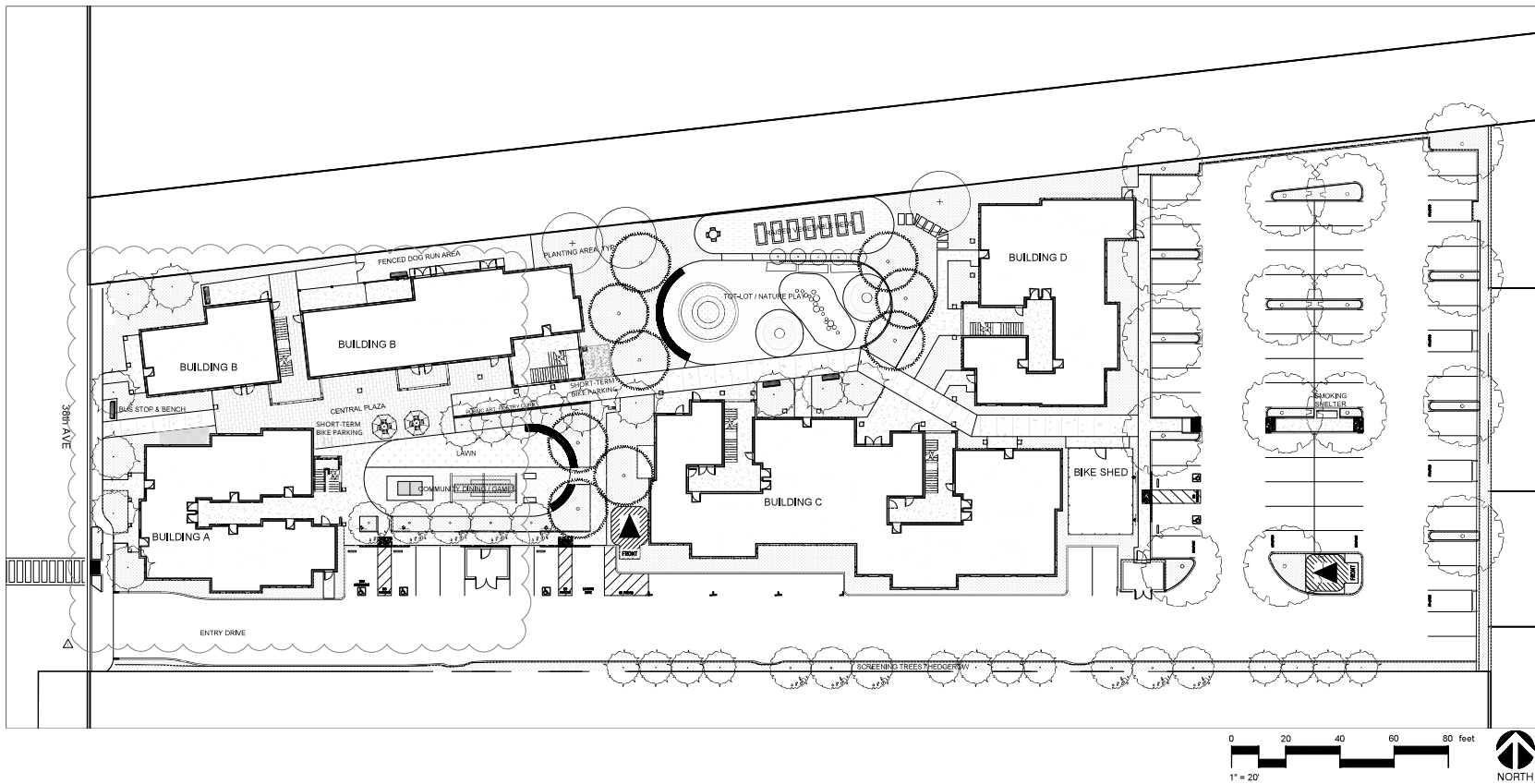
38TH AVE APARTMENTS
PLANNING SUBMITTAL
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING SUBMITTAL
OCTOBER 23, 2023

TREE MITIGATION AND PLANTING PLAN

No.	DATE	ISSUE
1	10-23-2023	ISSUED
2		
3		
4		
5		
6		
7		
8		
9		
10		

ISSUED: 10.23.2023
DRAWN: SW, JR
CHECKED: SW
JOB: Z9003
PL2.1
SCALE: 1" = 20'-0"



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DEVELOPMENT FOR:
MIDPEN HOUSING
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PLANNING SUBMITTAL
OCTOBER 23, 2023

LANDSCAPE PLAN

No.	DATE	ISSUE
1	10-23-2023	PLANNING SUBMITTAL

ISSUED: 10.23.2023
DRAWN: SW, JR
CHECKED: SW
JOB: Z9009
PL2.2
SCALE: 1" = 20'-0"



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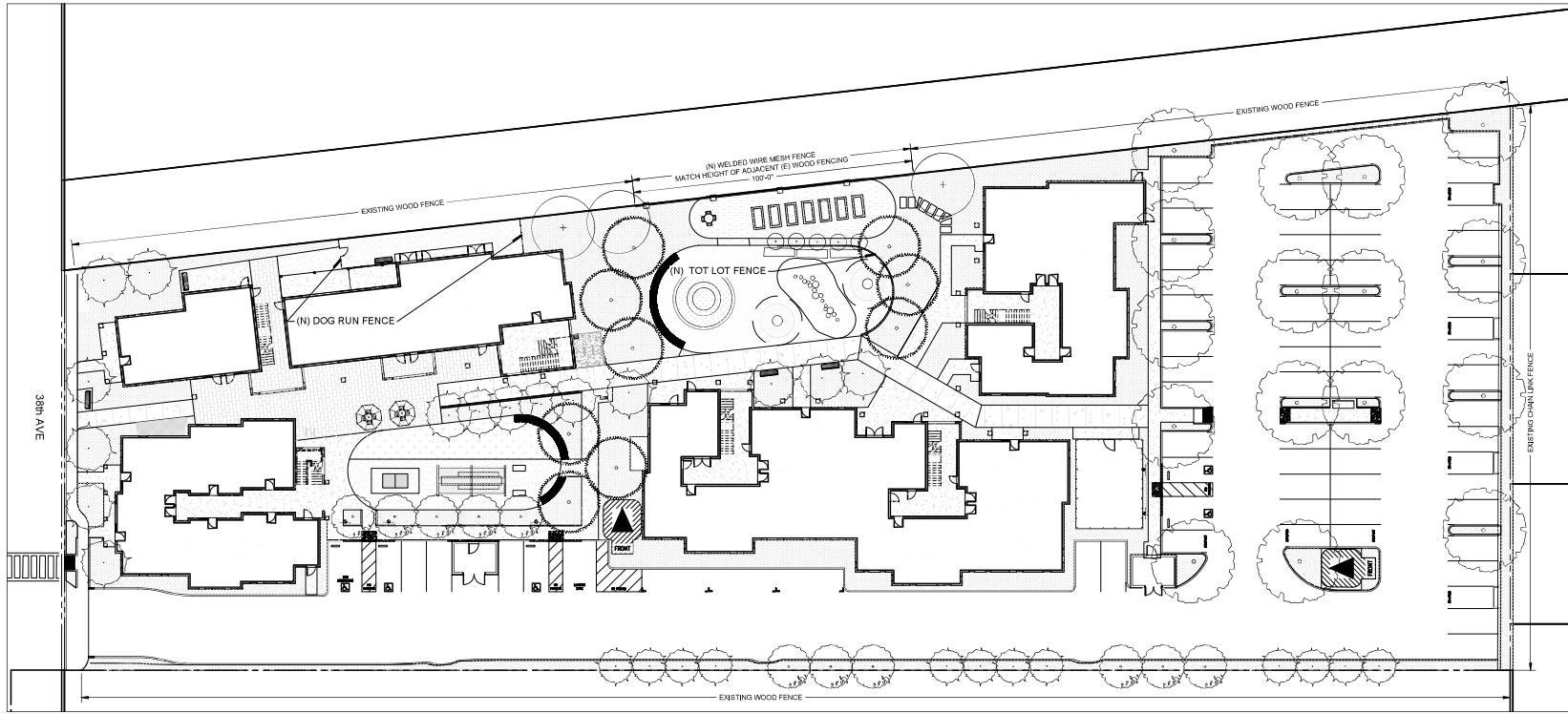
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PLANNING SUBMITTAL
OCTOBER 23, 2023

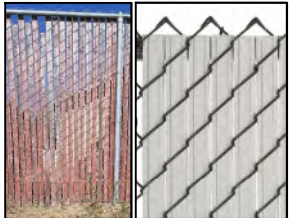
SITEPLAN RENDERING

No.	DATE	ISSUE

ISSUED: 10.23.2023
DRAWN: SW, JR
CHECKED: SW
JOB: Z9003
PL2.3
SCALE: 1" = 20'-0"



EXISTING PERIMETER WOOD FENCE
APPLY SEMI-TRANSPARENT STAIN - PLATINUM GRAY



EXISTING PERIMETER FENCE: CHAIN LINK
REPLACE SLATS WITH GRAY PRIVACY INFILL



NEW PERIMETER FENCE:
6' TALL WELDED WIRE MESH PANEL
WOOD MEMBERS: STAIN PLATINUM GRAY



NEW DOG RUN FENCE:
4' TALL WELDED WIRE MESH PANEL
WOOD MEMBERS: STAIN PLATINUM GRAY



NEW TOT LOT FENCE:
VARIABLE HEIGHT TIMBER BARRIER



BASE Landscape Architecture
145A Lower Terrace
San Francisco, CA 94114
www.baselandscape.com

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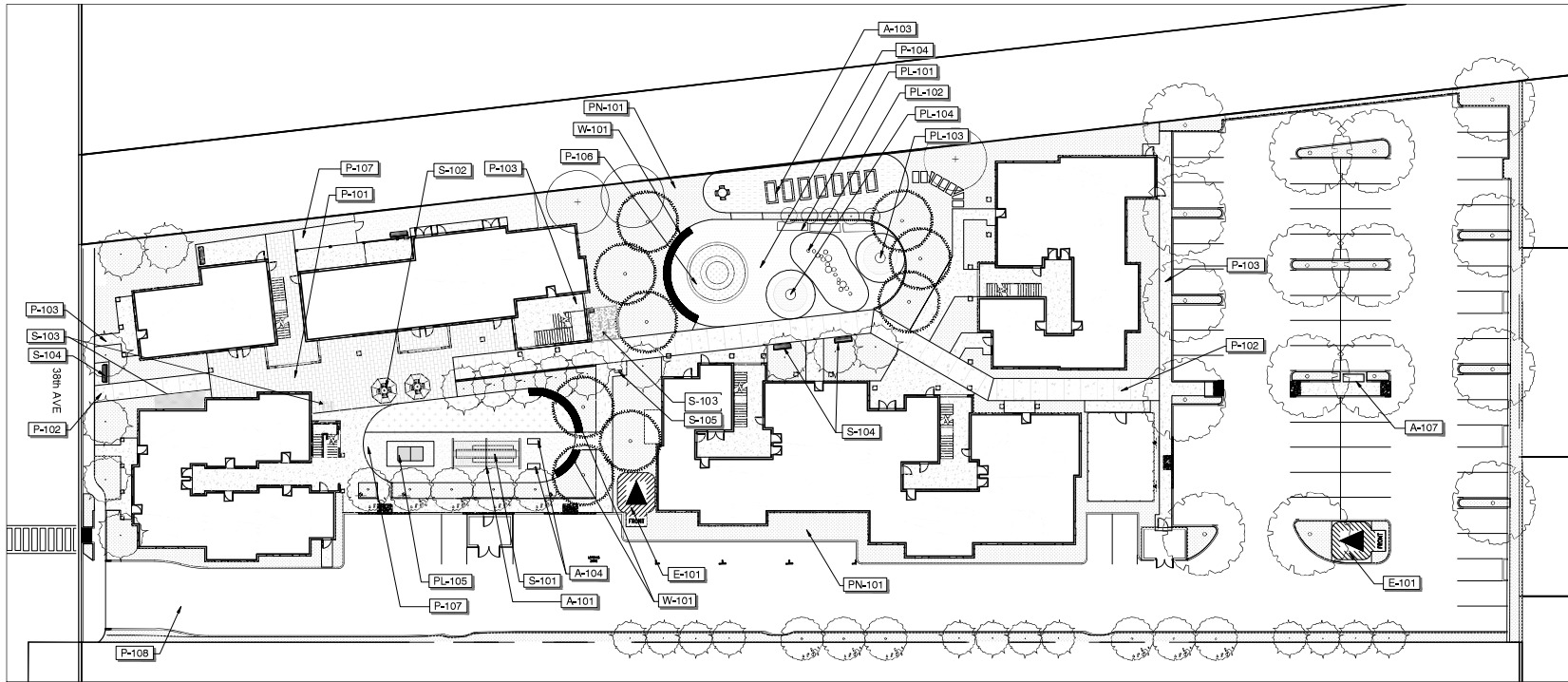
38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING SUBMITTAL
OCTOBER 23, 2023

FENCING EXHIBIT

No.	DATE	ISSUE

ISSUED:	10.23.2023
DRAWN:	SW, JR
CHECKED:	SW
JOB:	29009
PL2.4	
SCALE:	1" = 20'-0"



REFERENCE NOTES SCHEDULE	
AMENITY AND STRUCTURE	
SYMBOL	DESCRIPTION
[A-101]	PERGOLA
[A-103]	RAISED VEGETABLE BEDS
[A-104]	BARBECUE GRILL
[A-107]	SMOKING SHELTER
ELECTRICAL	
SYMBOL	DESCRIPTION
[E-101]	ELECTRICAL TRANSFORMER - S.G.D.
PAVING	
SYMBOL	DESCRIPTION
[P-101]	UNIT PAVER, PEDESTRIAN - TYPE 1
[P-102]	CONCRETE PAVING, CLIP - TYPE 1
[P-103]	CONCRETE PAVING, CLIP - TYPE 2
[P-104]	FOUR-PLAZE RUBBER PLAYGROUND SURFACING - TYPE 1
[P-105]	SYNTHETIC TURF
[P-107]	DECOMPOSED GRANITE
[P-108]	ASPHALT, VEHICULAR - S.G.D.
PLAY EQUIPMENT	
SYMBOL	DESCRIPTION
[PL-101]	LOG BENCHES
[PL-102]	NATUREPLAY LOG STEPPERS
[PL-103]	COLLABORATIVE PLAY ELEMENT
[PL-104]	BALANCE PLAY ELEMENT
[PL-105]	OUTDOOR PING PONG TABLE
PLANTING	
SYMBOL	DESCRIPTION
[PL-101]	PLANTING AREA
SITE FURNISHING	
SYMBOL	DESCRIPTION
[E-101]	OUTDOOR DINING TABLE AND BENCHES
[E-102]	CAFE TABLE AND CHAIRS
[E-103]	BIKE RACK
[E-104]	BENCH
[E-105]	DRINKING FOUNTAIN
WALLS AND STAIRS	
SYMBOL	DESCRIPTION
[W-101]	SEATWALL



UNIT PAVER



CONCRETE WALKS



POURED RUBBER PLAY SURFACING



DECOMPOSED GRANITE



BIKE RACK - SHORT TERM



PERGOLA



BBQ



SEATWALL



RAISED BEDS



PUBLIC ART: POETRY CURB



TURF MOUNDS



NATURE PLAY: LOG STEPPERS



PING-PONG TABLE



COLLABORATIVE PLAY ELEMENT



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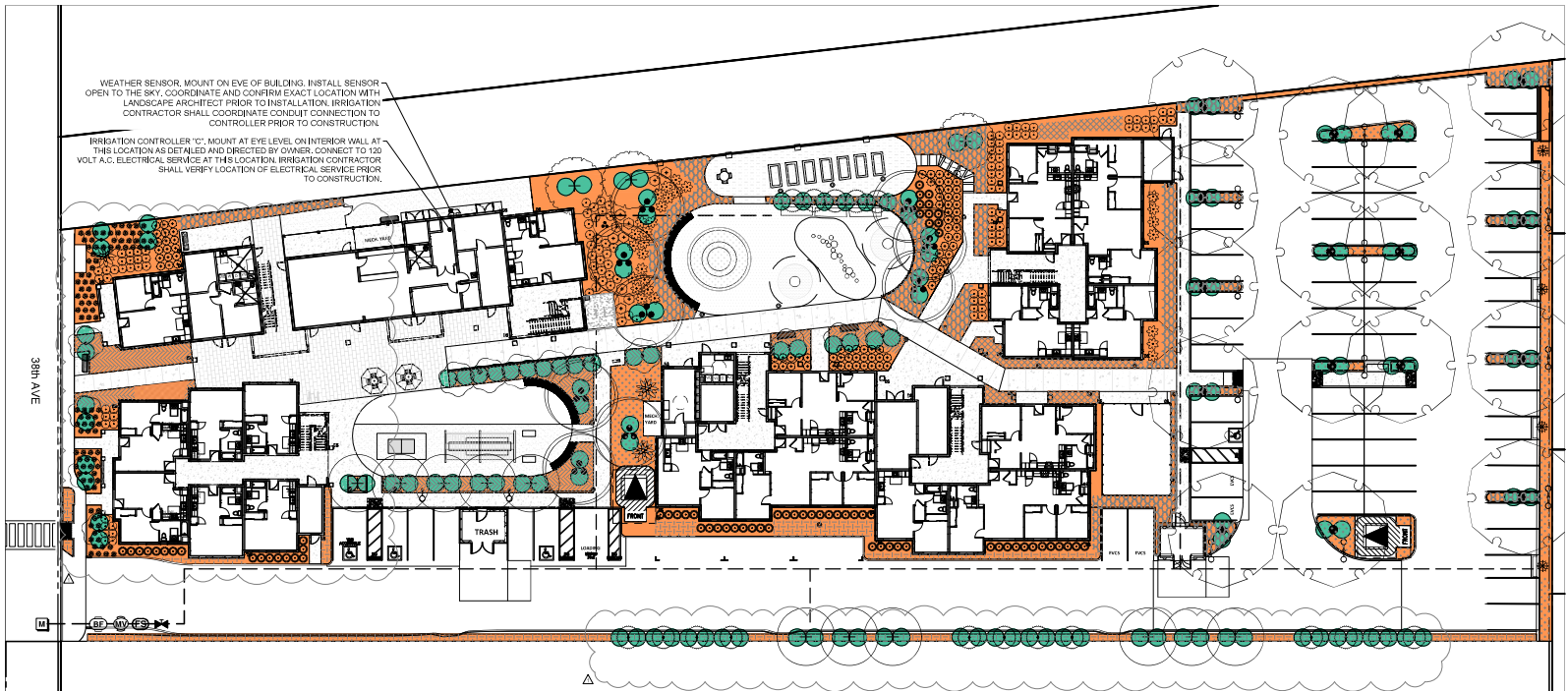
LANDSCAPE MATERIALS EXHIBIT

No.	DATE	ISSUE

ISSUED: 10.23.2023
DRAWN: SW, JR
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JOB: 29003

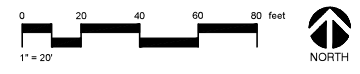
PL2.5

SCALE: 1" = 20'-0"



IRRIGATION SCHEDULE

SYMBOL	DESCRIPTION
	ROOTZONE TREE BUBBLER 1.5' RADIUS PER BUBBLER, SPACED EQUIDISTANT FROM TREE ON BOTH SIDES OF TRUNK, 2 PER TREE.
	SHRUB DRIP LINE 0.6 GPH @ 12" O.C., (2.3 LH @ 0.3M) DRIP LINE WITH 0.60 GPH EMITTERS AT 12" O.C., ROW SPACING AT 12" O.C.
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	GATE VALVE
	HUNTER ICV43 2"
	1/4", 1/2", 3/4", AND 1" PLASTIC ELECTRIC MASTER VALVE, GLOBE CONFIGURATION, WITH NPT THREADED INLET/OUTLET, FOR COMMERCIAL/MUNICIPAL USE.
	FEBCO 825Y 2" REDUCED PRESSURE BACKFLOW PREVENTER
	CONTROLLER
	RAIN SENSOR
	FLOW SENSOR
	WATER METER 2"
	IRRIGATION MAINLINE: PVC SCHEDULE 40
	VALVE CALL OUT VALVE NUMBER VALVE FLOW VALVE SIZE



BASE
LANDSCAPE ARCHITECTURE

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PLANNING SUBMITTAL
OCTOBER 23, 2023

IRRIGATION PLAN AND SCHEDULE

No.	DATE	ISSUE
1	10-23-2023	ISSUED FOR PERMITTING

ISSUED: 10.23.2023
DRAWN: SW, JR
CHECKED: SW
JOB: Z9003
PL3.1
SCALE: 1" = 20'-0"

IRRIGATION NOTES

- 1. THESE IRRIGATION DRAWINGS ARE DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE INSTALLED, ALL PIPING, VALVES, AND OTHER IRRIGATION COMPONENTS MAY BE SHOWN WITHIN PAVED AREAS FOR GRAPHIC CLARITY ONLY AND ARE TO BE INSTALLED WITHIN PLANTING AREAS, DUE TO THE SCALE OF THE DRAWINGS. IT IS NOT POSSIBLE TO INDICATE ALL OFFSETS, FITTINGS, SLEEVES, CONDUIT, AND OTHER ITEMS WHICH MAY BE REQUIRED, INVESTIGATE STRUCTURAL AND FINISHED CONDITION AFFECTING THE CONTRACT WORK INCLUDING OBSTRUCTIONS, GRADE DIFFERENCES OR AREA DIMENSIONAL DIFFERENCES. IN THE EVENT OF FIELD DISCREPANCY WITH CONTRACT DOCUMENTS, PLAN THE INSTALLATION WORK ACCORDINGLY BY NOTIFICATION AND APPROVAL OF THE OWNER'S AUTHORIZED REPRESENTATIVE AND ACCORDING TO THE CONTRACT SPECIFICATIONS. NOTIFY AND COORDINATE IRRIGATION CONTRACT WORK WITH OWNER FOR THE LOCATION AND INSTALLATION OF PIPE, CONDUIT OR SLEEVES THROUGH OR UNDER WALLS, ROADWAYS, PAVING AND STRUCTURES BEFORE CONSTRUCTION. IN THE EVENT THESE NOTIFICATIONS ARE NOT PERFORMED, THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR REQUIRED REVISIONS.

- 11. INSTALL BLACK PLASTIC LOCKABLE VALVE BOXES WITH BOLT DOWN, NON HINGED COVER MARKED 'IRRIGATION', BODY SHALL HAVE KNOCK OUTS, ACCEPTABLE VALVE BOX MANUFACTURER'S INCLUDE NDS, CARSON OR APPROVED EQUAL.
- 12. INSTALL REMOTE CONTROL VALVE BOXES 12" FROM WALK, CURB, OR BUILDING AT MULTIPLE VALVE BOX GROUPS. INSTALL EACH BOX AN EQUAL DISTANCE FROM THE WALK, CURB, OR BUILDING AND PROVIDE 12" BETWEEN BOX TOPS. ALIGN THE SHORT SIDE OF RECTANGULAR VALVE BOXES PARALLEL TO WALK, CURB, OR BUILDING. LANDSCAPE ARCHITECT TO APPROVE BOX LOCATIONS PRIOR TO INSTALLATION.
- 13. VALVE LOCATIONS SHOWN ARE DIAGRAMMATIC. INSTALL IN GROUND COVER/SHRUB AREAS. LOCATE IN PLACES THAT ARE NOT VISUALLY PROMINENT.
- 14. THE CONTRACTOR SHALL LABEL CONTROL LINE WIRE AT EACH REMOTE CONTROL VALVE WITH A 2 1/4" X 2 3/4" POLYURETHANE LD, TAG, INDICATING IDENTIFICATION NUMBER OF VALVE (CONTROLLER AND STATION NUMBER), ATTACH LABEL TO CONTROL WIRE.
- 15. INSTALL A GATE VALVE TO ISOLATE EACH REMOTE CONTROL VALVE OR GROUP OF RCV'S LOCATED TOGETHER. GATE VALVE SIZE SHALL BE SAME AS THE LARGEST REMOTE CONTROL VALVE IN MANIFOLD.
- 16. WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, USE CAUTION TO AVOID INJURY TO TREES AND TREE ROOTS. EXCAVATE BY HAND IN AREAS WHERE TWO (2) INCH AND LARGER ROOTS OCCUR. BACK FILL TRENCHES ADJACENT TO TREE WITHIN TWENTY-FOUR (24) HOURS, WHERE THIS IS NOT POSSIBLE, SHADE THE SIDE OF THE TRENCH ADJACENT TO THE TREE WITH WET BURLAP OR CANVAS. REFER TO TEMPORARY TREE AND PLAN PROTECTION SPECIFICATIONS.
- 17. NOTIFY LOCAL JURISDICTIONS FOR INSPECTION AND TESTING OF EXISTING BACKFLOW PREVENTION DEVICE.
- 18. THE IRRIGATION SYSTEM DESIGN IS BASED ON THE MINIMUM OPERATING PRESSURE SHOWN ON THE IRRIGATION DRAWINGS. VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE OWNER'S AUTHORIZED REPRESENTATIVE.
- 19. IRRIGATION DEMAND: REFER TO PLANS.
- 20. PIPE SIZING SHOWN ON THE DRAWINGS IS TYPICAL AS CHANGES IN LAYOUT OCCUR DURING STAKING AND CONSTRUCTION THE SIZE MAY NEED TO BE ADJUSTED ACCORDINGLY.
- 21. PIPE THREAD SEALANT COMPOUND SHALL BE RECTOR SEAL #5.
- 22. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MINOR CHANGES IN THE IRRIGATION LAYOUT DUE TO OBSTRUCTIONS SUCH AS LIGHTS, FIRE HYDRANTS, SIGNS, ELECTRICAL ENCLOSURES, ETC.
- 23. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR CHANGES IN THE IRRIGATION LAYOUT AND VALVE ZONING DUE TO VARIATIONS IN THE EXISTING SITE CONDITIONS SUCH AS EXPOSURE FROM BUILDINGS, TRELLISES, TREES, ETC., AS WELL AS SLOPE AND SOIL CONDITIONS. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AND OWNER OF THE PROPOSED CHANGES PRIOR TO INSTALLATION FOR APPROVAL.
- 24. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ADJUSTING THE IRRIGATION SYSTEM DESIGN IF THE PLANTING DESIGN CHANGES FROM THE ORIGINAL PLAN AND NEEDS TO ADAPT TO THE NEW PLANTING DESIGN. THE LANDSCAPE CONTRACTOR NEEDS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER OF PROPOSED CHANGES PRIOR TO INSTALLATION FOR APPROVAL.
- 25. WHEN WORK OF THIS SECTION HAS BEEN COMPLETED AND SUCH OTHER TIMES AS MAY BE DIRECTED, REMOVE ALL TRASH, DEBRIS, SURPLUS MATERIALS AND EQUIPMENT FROM SITE.
- 26. CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLEMENTAL AND HAND WATERING OF ALL PLANT MATERIAL WITHIN DRIPLINE AREAS DURING MAINTENANCE PERIOD TO ASSURE THAT PLANTS ARE SUFFICIENTLY ESTABLISHED.
- 27. VERIFY LOCATIONS OF ALL IRRIGATION COMPONENTS INSTALLED WITHIN A VALVE BOX WITH LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. DO NOT INSTALL UNTIL LANDSCAPE ARCHITECT PROVIDES ACCEPTABLE LOCATIONS.

WATER USE CALCULATIONS

WATER USE ESTIMATION - 38TH AVE. CAPITOLA PROJECT

WATER TYPE	POTABLE
CITY	CAPITOLA, CA
TOTAL ANNUAL ET (G)	361
PEAK MONTHLY ET (G)	4.8
DATE	26/24

HYDROZONE	VALVE #	GPM	AREA (sq ft) (HA)	WATER USE (LOW-MID, HIGH)	PLANT TYPE	IRRIGATION TYPE	PLANT FACTOR (PF)	IRRIGATION EFFICIENCY (IE)	ETAF (PF*IE)	ETW (GAL/YEAR)	PERCENTAGE OF LANDSCAPE
1	TBC	15.41	1,343	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	7,031	9%
2	TBC	35.47	170	MW	TREES	BUBBLER	0.5	0.81	0.62	8,676	4%
3	TBC	24.9	2402	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	10,931	13%
4	TBC	9.89	197	MW	TREES	BUBBLER	0.5	0.81	0.62	2,243	1%
5	TBC	9.99	990	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	4,542	6%
6	TBC	23.65	473	MW	TREES	BUBBLER	0.5	0.81	0.62	5,384	3%
7	TBC	27.44	2,765	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	12,017	15%
8	TBC	9.85	197	MW	TREES	BUBBLER	0.5	0.81	0.62	2,243	1%
9	TBC	31.99	3177	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	14,459	16%
10	TBC	23.65	473	MW	TREES	BUBBLER	0.5	0.81	0.62	5,384	3%
11	TBC	22.63	2,280	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	10,526	13%
12	TBC	21.9	2196	LW	SHRUBS/GC	DRIPLINE 12"	0.2	0.81	0.25	9,984	12%
13	TBC	31.53	631	MW	TREES	BUBBLER	0.5	0.81	0.62	7,119	4%
TOTAL				18,024						100,329	100%

HYDROZONE #	SPECIAL LANDSCAPE AREA	HYDROZONE NAME	AREA (sq ft) (HA)	PERCENTAGE OF LANDSCAPE
				0%
MAWA		GALLONS/YEAR	184551	
		ACRE FEET/YEAR	246.73	
ETW		GALLONS/YEAR	180329	
		ACRE FEET/YEAR	0.31	
		GALLONS/YEAR	134.13	

SITE IRRIGATION EFFICIENCY	SITE PLANT FACTOR	MAWA COMPLIANT
82%	0.34	YES

ETAF CALCULATIONS	
TOTAL ETAF X AREA	7531
TOTAL AREA	18024
AVG ETAF	42%

MAWA FORMULA	ETW FORMULA
MAXIMUM APPLIED WATER ALLOWANCE (MAWA)	ESTIMATED TOTAL WATER USE (ETW)
GALLONS PER YEAR	GALLONS PER YEAR
MAWA = (E) (0.82) (5.0) (4.2451) (30.36) (3.14)	ETW = (0.16) (25.32) (1247.31)

E= REFERENCE EVAPOTRANSPIRATION
0.82 = ET ADJUSTMENT FACTOR
5.0 = LANDSCAPE AREA (SQUARE FEET)
4.2451 = CONVERSION FACTOR (GALLONS/SQ FT/YEAR)

E= REFERENCE EVAPOTRANSPIRATION
PF = PLANT FACTOR FOR HYDROZONES
HA = HYDROZONE AREA (SQ FT)
0.82 = CONVERSION FACTOR (GALLONS/SQ FT/YEAR)
E = IRRIGATION EFFICIENCY (0.81) DRIP

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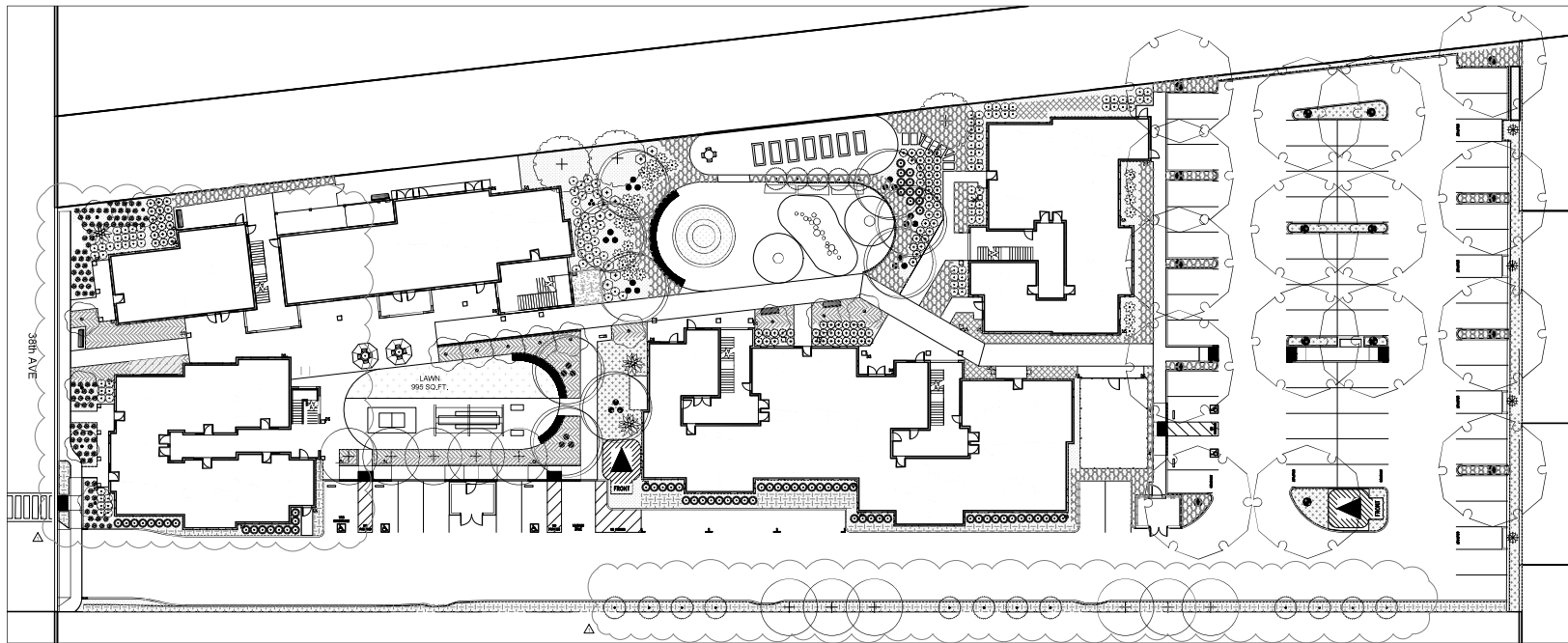
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38TH AVE APARTMENTS
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING SUBMITTAL
OCTOBER 23, 2023

IRRIGATION NOTES

No. DATE ISSUE
1 10/23/2023 Irrigation
ISSUED: 10/23/2023
DRAWN: SW JR
CHECKED: SW
JOB: 23003
PL3.2
SCALE: 1" = 20'-0"



TOTAL PLANTED AREA (EXCLUDING LAWN): 14,435 SQ.FT.
 TOTAL LAWN AREA: 995 SQ.FT.



PLANT SCHEDULE						
CODE	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	MATURE SIZE	MATURE CANOPY
TREES						
HYM FLA	HYMENOSPORIUM FLAVUM	SWEETSHADE	24" BOX	MODERATE	35' H X 20' W	300SF
MAG VIR	MAGNOLIA VIRGINIANA 'JIM WILSON'	MOONGLOW® SWEETBAY MAGNOLIA	24" BOX	MODERATE	35' H X 20' W	300SF
POD ELO	PODOCARPUS ELONGATUS 'MONMAL'	ICEE BLUE® YELLOW WOOD	15 GAL	MODERATE	15'-25" H X 10'-15" W	110SF
SAP SAP	SAPINDUS SAPONARIA	WINGLEAF SOAPBERRY	15 GAL	LOW	25'-40" H X 15'-30" W	700SF
ULM DRA	ULMUS PARVIFOLIA 'DRAKE'	DRAKE LACEBARK ELM	24" BOX	LOW	50' H X 40' W	1250SF
CHI TAS	X CHITALPA TASHKENTENSIS	CHITALPA	24" BOX	LOW	20'-30" H X 20'-30" W	700SF
SHRUBS						
AGA X	AGAVE X 'BLUE FLAME'	BLUE FLAME AGAVE	5 GAL	LOW		
ALO X'	ALOE X 'LEO 4520'	BUSH BABY™ YELLOW ALOE	5 GAL	LOW		
CHA HUM	CHAMAEROPS HUMILIS ARGENTEA	BLUE MEDITERRANEAN FAN PALM	15 GAL	LOW		
DEN HAR	DENDROMECON HARFORDII	ISLAND BUSH POPPY	5 GAL	LOW		
ELE FER	ELEGIA TECTORUM 'DIARF'	DIARF CAPE RUSH	5 GAL	LOW		
MAH EUR	MAHONIA EURYBRACTEATA 'SOFT CARESS'	SOFT CARESS MAHONIA	5 GAL	MODERATE		
OPU EL7	OPUNTIA CACANAPA 'ELLISIANA'	SPINELESS PRICKLY PEAR	5 GAL	VERY LOW		
RHA CAL	RHAMNUS CALIFORNICA 'MOUND SAN BRUNO'	MOUND SAN BRUNO COFFEEBERRY	5 GAL	LOW		
TAG LEM	TAGETES LEMMONII	COPPER CANYON DAISY	5 GAL	LOW		
GROUND COVERS						
ANI FLA	ANISOZANTHOS FLAVIDUS	GREEN KANGAROO PAW	1 GAL	LOW		
LOM IRA	LOMANDRA LONGIFOLIA 'BREEZE'	BREEZE™ MAT RUSH	1 GAL	LOW		
NEP COR	NEPHROLEPIS CORDIFOLIA	SWORD FERN	1 GAL	MEDIUM		
SAL BEE	SALVIA X 'BEE'S BLISS'	BEE'S BLISS SAGE	1 GAL	LOW		
SES AOP	SESLERIA AUTUMNALIS 'CAMPO VERDE'	CAMPO VERDE AUTUMN MOOR GRASS	1 GAL	MEDIUM		

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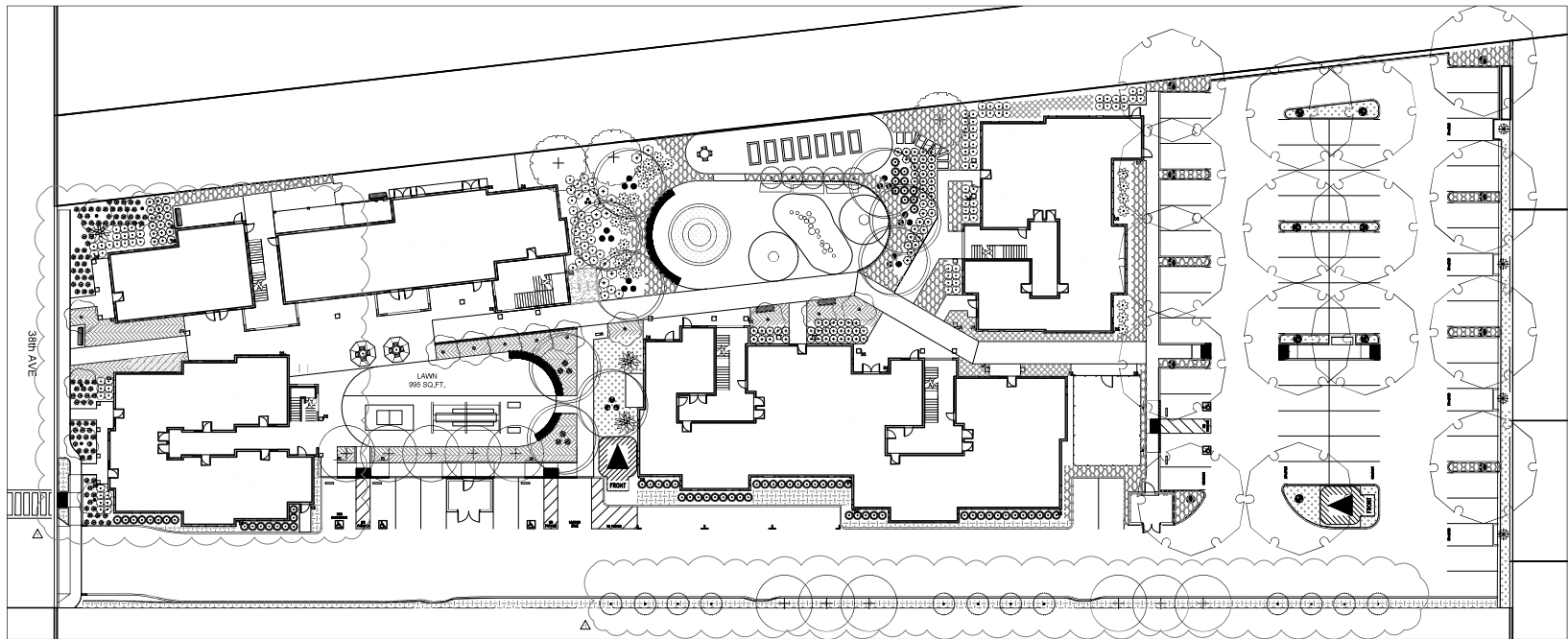
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PLANTING LIST

No.	DATE	ISSUE
1	10-23-2023	Prepared

ISSUED: 10.23.2023
 DRAWN: SW, JR
 CHECKED: SW
 JOB: 23003
PL4.1
 SCALE: 1" = 20'-0"



PLANT SCHEDULE							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SEE	WATER USAGE	
SHRUBS							
⊙	AGA X	28	AGAVE X 'BLUE FLAME'	BLUE FLAME AGAVE	5 GAL	LOW	
●	ALD X	101	ALDE X 'LEO KOZ'	BUSH BABY "YELLOW ALDE	5 GAL	LOW	
⊙	CHA HUM	3	CHAMMEROPS HUMILIS ARGENTEA	BLUE MEDITERRANEAN FAN PALM	15 GAL	LOW	
⊙	DEN HAR	2	DENDROMECON HARFORDI	ISLAND BUSH POPPY	5 GAL	LOW	
⊙	ELE EER	71	ELEGIA TECTORUM DWARF	DWARF CARE RUSH	5 GAL	LOW	
⊙	MAN BUR	85	MAHONIA EURYBRACTEA SOFT CARESS	SOFT CARESS MAHONIA	5 GAL	MODERATE	
⊙	OPU ELY	4	OPUNTIA CACAHUAPA TILLIENKA	SPINELESS PECKY PEAR	5 GAL	VERY LOW	
⊙	RHA CAL	121	RHAMNUS CALIFORNICA MOUND SAN BRUNO	MOUND SAN BRUNO COFFEEBERRY	5 GAL	LOW	
⊙	TAG LEM	10	TASSETIA LEVANDI	COOPER GAVION DAIERY	5 GAL	LOW	
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SEE	WATER USAGE	SPACING
GROUND COVERS							
⊙	ANI FLA	180	ANIBOGANTHOS FLAVIDUS	GREEN KANGAROO PAW	1 GAL	LOW	36" o.c.
⊙	LOM IRA	212	LOMANDRA LONGIFOLIA 'BREEZE'	BREEZE™ MAT RUSH	1 GAL	LOW	36" o.c.
⊙	NEP DDR	132	NEPHROLEPIS CORISFOLIA	SWORD FERN	1 GAL	MEDIUM	24" o.c.
⊙	SAL BEE	228	SALVIA X 'BEE'S BLISS'	BEE'S BLISS SAGE	1 GAL	LOW	36" o.c.
⊙	SES AOP	752	SESLEPIA AUTUNNALIS 'CAMPO VERDE'	CAMPO VERDE AUTUMN MOOR GRASS	1 GAL	MEDIUM	24" o.c.

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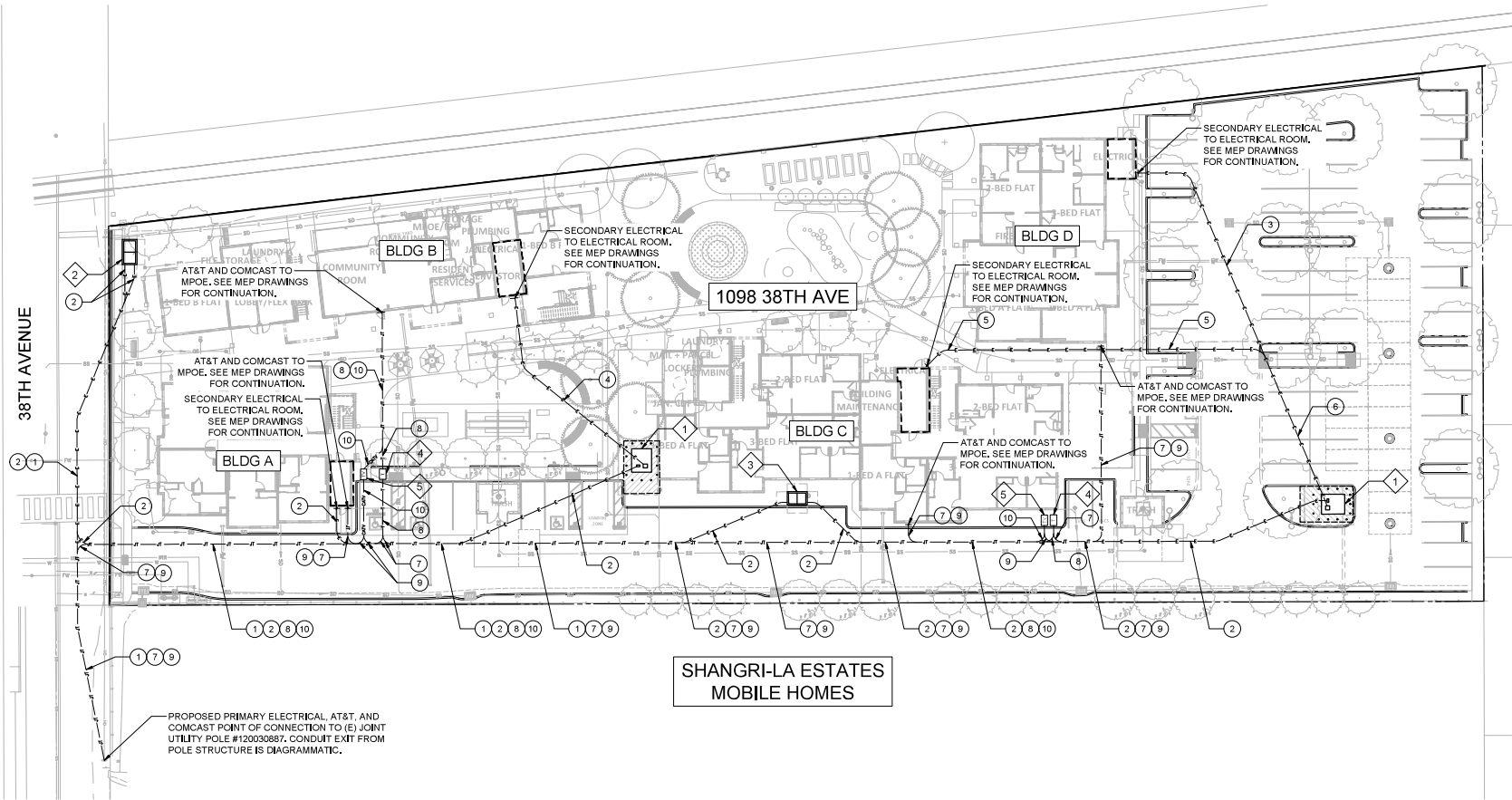
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PLANNING SUBMITTAL
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PLANTING PLAN

No.	DATE	ISSUE
1	10-23-2023	ISSUED FOR PERMITTING

ISSUED: 10.23.2023
 DRAWN: SW, JR
 CHECKED: SW
 JOB: Z9009
PL4.2
 SCALE: 1" = 20'-0"



PROPOSED PRIMARY ELECTRICAL, AT&T, AND COMCAST POINT OF CONNECTION TO (E) JOINT UTILITY POLE #120030887, CONDUIT EXIT FROM POLE STRUCTURE IS DIAGRAMMATIC.

A
JTI.02
DRY UTILITY INTENT

SCALE: 1" = 20'

LEGEND:

	PROPERTY LINE
	PROPOSED JOINT TRENCH
	PROPOSED ELECTRICAL TRENCH
	PROPOSED AT&T TRENCH
	PROPOSED COMCAST TRENCH

EQUIPMENT TAG:

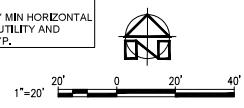
1	PRECAST PAD FOR TRANSFORMER, TYPE IIE-LBM 90" X 106", SEE PG&E DRAWINGS, REFER TO PG&E GREENBOOK SECTION 045292 (PG&E ORDERING CODE: 040292)
2	PG&E SUBSURFACE SWITCH INTERRUPTER SWITCH (PRIMARY UNDERGROUND EQUIPMENT ENCLOSURE) #7, TYPE 2, 4'-6" X 8'-6" X 6'-0" (PG&E ORDERING CODE: 043411)
3	PG&E JUNCTION BOX (PRIMARY UNDERGROUND EQUIPMENT ENCLOSURE) #6, TYPE 2, 4'-0" X 6'-6" X 5'-0" (PG&E ORDERING CODE: 041495)
4	AT&T VAULT, 30" X 48" X 36"
5	COMCAST B44 VAULT, 28" X 48" X 12"

CONDUIT NOTE TAG:

1	PG&E PRIMARY ELECTRICAL (2) 6"
2	PG&E PRIMARY ELECTRICAL (1) 6"
3	PG&E SECONDARY ELECTRICAL (2) 5"
4	PG&E SECONDARY ELECTRICAL (3) 5"
5	PG&E SECONDARY ELECTRICAL (5) 5"
6	PG&E SECONDARY ELECTRICAL (7) 5"
7	AT&T (1) 4"
8	AT&T (2) 4"
9	COMCAST (2) 2"
10	COMCAST (4) 2"

NOTES:

- CONTRACTOR TO MAINTAIN 3' MIN HORIZONTAL AND 1' MIN VERTICAL SEPARATIONS BETWEEN WET AND DRY UTILITIES, TYP.
- CONTRACTOR TO MAINTAIN 5' MIN HORIZONTAL SEPARATION BETWEEN DRY UTILITY AND CENTER OF STREET TREE, TYP.



NOT FOR CONSTRUCTION

URBANDESIGN
CONSULTING ENGINEERS
1000 14th Street, Suite 100
San Francisco, California 94133
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www.UrbanDesign.EI.com

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38TH AVE APARTMENTS
DEVELOPMENT FOR:
MIDPEN HOUSING
1098 38TH AVE, CAPITOLA, CA 95062

PLANNING SUBMITTAL
OCTOBER 23, 2023

DRY UTILITY INTENT

No.	DATE	ISSUE

ISSUED: 10.23.2023
DRAWN: CM, FS
CHECKED: JL, NL, DH
JOB: Z9009
JTI.02
SCALE: AS INDICATED

**CITY OF CAPITOLA
Notice of Exemption**

To: Clerk of the Board
County of Santa Cruz
Governmental Center
701 Ocean Street
Santa Cruz, CA 95060

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Capitola, Community Development Department, 420 Capitola Avenue, Capitola, CA 95010

Project Title: 38th Avenue Apartment Project

Project Address: 1098 38th Avenue

Assessor's

Parcel No.: 034-172-01

Project Location: City of Capitola (see Figure 1)

County of: Santa Cruz

Project Description: The project consists of a Coastal Development Permit, Design Permit, and Density Bonus request for construction of a 52-unit, 100% affordable housing project on a 1.9-acre site at the east side of 38th Avenue just south of the railroad crossing. The project includes a mix of 1-bedroom, 2-bedroom, and 3-bedroom apartment units configured in four buildings. Three of the proposed buildings have three floors while one building has two floors. The buildings would also include laundry rooms, community rooms with kitchens, offices and property management/resident services, and equipment and utility spaces. Other on-site amenities would include outdoor dining and gathering areas, including two protected courtyards, pedestrian pathways, a central plaza, lawn, community dining area, café tables and chairs, raised vegetable beds, and outdoor areas.

The project would utilize the State Density Bonus law, which allows 100% affordable housing projects to utilize the 80% density bonus increase and up to four concessions/incentives from the City's development standards. The project includes four requested concessions for (1) private open space requirements, (2) maximum building height requirements, (3) tree replacement ratio less than 2:1, and (4) parking lot landscape less than 20%. The project would not provide private open space. In lieu of private open space, the project would provide approximately 22,830 square feet of common open space area (26% of the site). The project also is requesting a concession to allow for increased maximum building height from 30 to 40.5 feet, a replacement of trees at less than 2:1 ratio due to potential for crowding and overplanting, and to reduce the required parking lot landscape percentage to less than 20%.

Name of Person or Agency Carrying Out Project: MidPen Housing

Name of Public Agency Approving Project: City of Capitola

Exempt Status: (check one)

- Ministerial Project (Section 21080(b)(1); 15268).
- Categorically Exempt (Section 15332).
- Declared Emergency (Section 21080(b)(3); 15269(a)).
- Emergency Project (Section 21080(b)(4); 15269(b)(c)).
- Statutory Exemption (Code/Section _____).
- The project clearly will not have a significant effect on the environment (15061(b)(3)).

Reasons why project is exempt: CEQA provides “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resources Agency has determined generally do not pose a risk of significant impacts on the environment. The Class 32 categorical exemption is for “infill development” projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the foregoing criteria to claim the application of the infill exemption as summarized below, which is based on a detailed review of how the project meets the above criteria and does not meet any of the exceptions to an exemption.

- (a) The project is consistent with General Plan and zoning land use designations and all applicable General Plan policies and zoning regulations. The property is designated Multi-Family Residential (R-M) in the City’s General Plan. The R-M General Plan designation applies to areas primarily intended for multifamily residential development. All residential uses are permitted in the R-M designation, including multi-family structures; therefore, the project is consistent with the permitted uses in this land use designation. City review also finds that the project is consistent with the policies of the General Plan.

The maximum permitted residential density in the R-M designation is between 10 and 20 dwelling units per acre (du/ac) depending upon the zoning classification (RM-L at 10 du/ac, RM-M at 15 du/ac, and RM-H at 20 du/ac maximums). The project has requested a density bonus that allows the project to exceed the General Plan density of 15 du/ac in the R-M designation and RM-M zoning district. The project also includes four requested concessions for private open space requirements, maximum building height requirements, reduction in tree replacement planting ratio, and reduction in parking lot landscape percentage as part of the density bonus request pursuant to provisions in state law. Therefore, the project is consistent with zoning regulations pursuant to provisions under the State Density Bonus law, which allow for waivers and concessions to the City’s zoning regulations, the approval of which would not render the project inconsistent with City zoning requirements. The court decision in *Wollmer v. City of Berkeley* expressly held that the waivers and concessions a city was required to grant for a density-bonus-eligible project did not result in planning and zoning inconsistencies that disqualified the project from the categorical exemption for infill development, because the mandatory nature of the waivers meant that those standards were inapplicable to the project.

In summary, the project is consistent with the applicable General Plan land use designation and all applicable General Plan policies as well as with the applicable zoning designation and regulations.

- (b) The approximately 1.9-acre site is located within City limits, is less than 5 acres in size, and is surrounded by existing developed urban residential uses adjacent to the site on the north, west, and south, and commercial uses to the east that front 41st Avenue.
- (c) The project site was previously developed, but the former building has been demolished. Remnants of the building foundation and parking area remain. The site is not within mapped areas of potential sensitive habitat as depicted in the City's General Plan, and there are no known endangered or threatened species on or adjacent to the site due to the site's location within a developed urban area. Thus, the project has no value as habitat for endangered, rare, or threatened species.
- (d) The project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The project is a 100% affordable housing project, which is screened out from traffic and vehicle miles traveled (VMT) reviews. The City's adopted VMT threshold and accompanying guidelines follow CEQA Guidelines Section 15063(c)(3)(C) and the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, which allows for development of "screening criteria" that can be used to identify projects that are not expected to cause a significant impact on transportation without conducting a detailed VMT analysis. Affordable residential development is screened out; the OPR Technical Advisory provides data to support the conclusion that adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Accordingly, the Capitola's screening criteria provides that projects that are a 100% affordable residential development or the residential component of a mixed-use development, in infill locations shall be assumed to have a less-than-significant impact on transportation. The project is both a 100% affordable residential project and located in an infill location.

The project would not result in a substantial increase in permanent or temporary noise levels as a residential use within a developed residential neighborhood. Existing City regulations include performance standards that prohibit generation of loud, boisterous, irritating, penetrating, or unusual noise that is defined and regulated in the Capitola Municipal Code.

Air pollutant emissions generated during project construction and operation would not exceed significance thresholds established for different criteria pollutants by the Monterey Bay Air Resources District (MBARD) as the number of proposed residential units is well below MBARD screening levels for potentially significant impacts as a result of residential apartment development. Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project, and MBARD CEQA Guidelines indicate that projects with grading of less than 2.1 acres per day would not result in significant emissions. The project site is less than 2.1 acres in size.

The proposed project does not involve any discharges that would violate any water quality standards or waste discharge requirements, and would not result in significant impacts to water quality. The project would be designed to comply with regulations contained in the

City's Municipal Code regarding stormwater runoff water quality impacts. A stormwater plan review has since completed, and concluded that the project complies with City requirements.

- (e) The site can be adequately served by all required utilities and public services, as existing utility infrastructure and public services already serve the project area. The project would connect to existing utility infrastructure adjacent to the project site. The project would result in an incremental increase in demand for utilities and public services but would not exceed available capacities.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemption found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

- (a) for certain classes of projects (3, 4, 5, 6, and 11) due to location;
- (b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;
- (c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (e) where the project is located on a state designated hazardous waste site; and
- (f) where the project may cause a substantial adverse change in the significance of a historical resource.

Section 15300.2(a) does not apply to this project because the Class 32 category of projects is not excluded on the basis of location.

There is no evidence of a potential significant cumulative impact (b) because successive projects of the same type in the same place have not been approved and are not proposed. Additionally, there is no evidence to conclude that significant impacts would occur based on past project approvals in the surrounding area or that the proposed project's impacts are cumulatively considerable when evaluating any cumulative impacts associated with air quality, noise, transportation, or water quality as a result of other approved projects in the surrounding area. Other development projects in the vicinity of the project have been limited and/or small-sized projects and would not result in project-level or cumulatively significant impacts. Therefore, this exception does not apply.

The project would not result in any significant effects on the environment due to unusual circumstances (c). The project site's immediate area has similar General Plan and zoning designations as the project property and is comprised of an assortment of detached single-family homes, multi-family housing, mobile home parks, and commercial uses. There are no "unusual circumstances" that differentiate the project or project site from the general class of similarly situated projects. For example, other properties in the project vicinity and within other areas of the City could develop a similar affordable housing project, utilizing waivers and concessions permitted under the provisions of the State Density Bonus law. The project is located in a developed urban neighborhood and is directly surrounded by urban uses, including existing multi-family housing, and sensitive resources are not present. There are

no features that distinguish the project or project site from other properties in the area that have the same General Plan land use designation and zoning as the project. For these reasons, the project would not result in any significant effects on the environment due to unusual circumstances, and exception (c) does not apply to the project.

The project would not result in damage to scenic resources or a scenic highway (d). There are no designated state scenic highways within the City, and the project site is not located near a highway officially designated as a state scenic highway. Therefore, the project would not result in damage to scenic resources within a state scenic highway. Thus, this exception does not apply to the project.

The site is not a hazardous waste site (e). The project site is not located on any of the Cortese List online databases, including the California Department of Toxic Substance Control lists of hazardous waste and substances sites or hazardous waste facilities subject to corrective action; and State Water Resources Control Board lists of leaking underground storage tank sites, solid waste disposal sites, or active Cease and Desist Orders and Cleanup and Abatement Orders. There are no known former or current hazardous materials release sites on or adjacent to the project site. Therefore, the project site is not included on any list compiled pursuant to Government Code §65962.5 and this exception does not apply to the project.

A Phase I Environmental Site Assessment (ESA) followed by two subsurface investigation programs were completed for the project and potential contamination was not found to be significant, but recommendations were made for potential use of vapor intrusion measures and implementation of a soil management plan during construction that are being reviewed with the County of Santa Cruz Health Services Agency, and would be implemented by the project based on County review..

The former building on the project site has been demolished, there are no existing structures on the site that would be considered historical resources, and the project site is not located within a designated historic district. An archaeological-historical records search and cultural resources review was conducted for the project and it was concluded that the project would not result in any significant impacts to archaeological or historic resources. Therefore, the project would not result in a substantial adverse change to the significance of a historical resource (f), and this exception does not apply to the project.

Therefore, the City is able to document that the project qualifies for the Categorical Exemption found at CEQA Guidelines section 15332, the infill exemption, and that none of the potential exceptions to the use of a categorical exemption apply to this project or the project site.

Lead Agency

Contact Person: Brian Froelich, Senior Planner

Phone: (831) 475-7300 x 259

Department: Community Development

Address: 420 Capitola Avenue
Capitola, CA 95010

Signature: _____

Date: _____

Title: Senior Planner

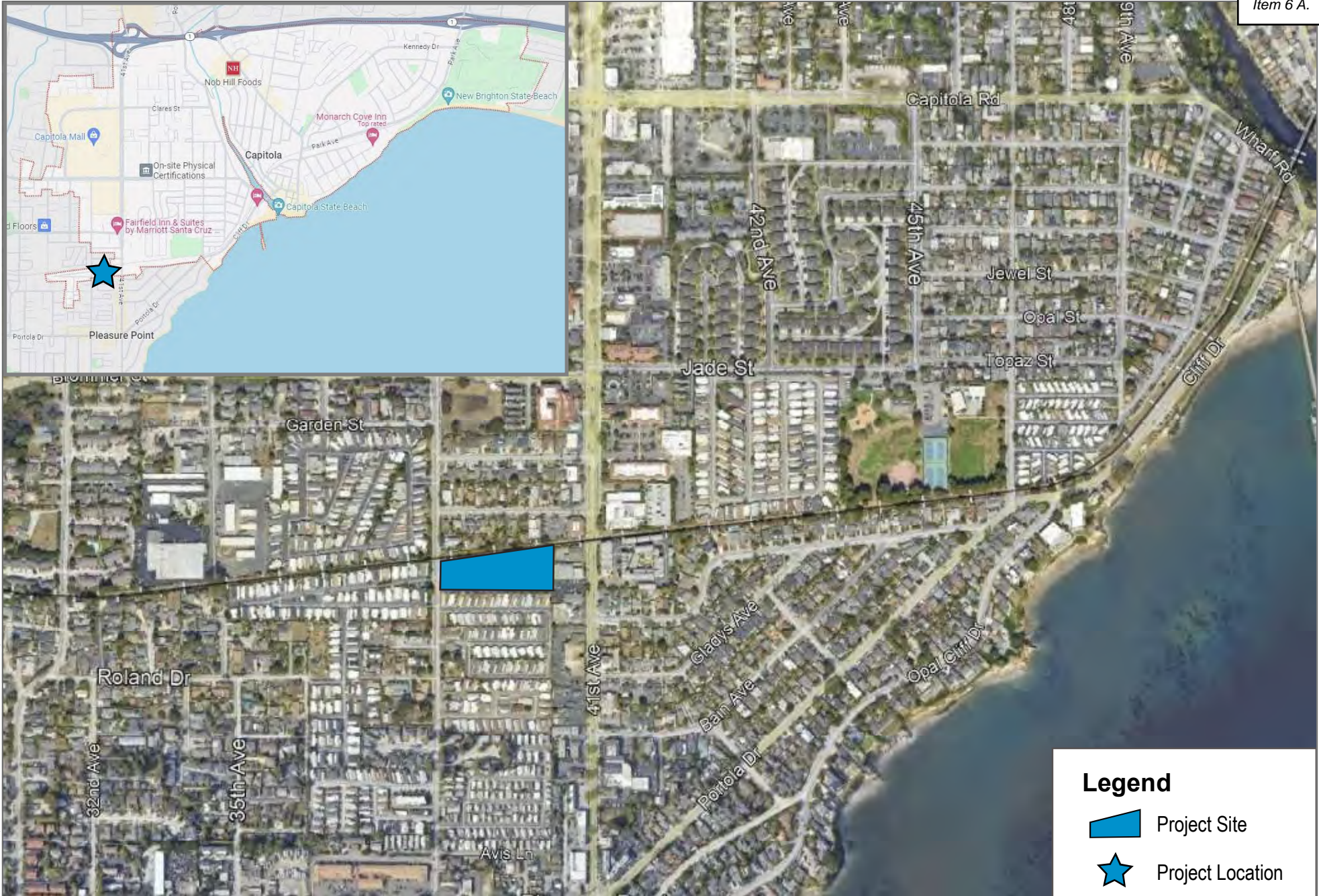
- Signed by Lead Agency
- Signed by Applicant

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Date Received for filing at County Clerk: _____

Date Received for filing at OPR: _____



SOURCE: Google Maps, 2024



Not to scale

FIGURE 1

Project Location
38th Avenue Apartments

TECHNICAL MEMORANDUM

To: Brian Froelich, AICP, Senior Planner, City of Capitola
From: Jeanney Keo, Transportation Planner
Dennis Pascua, Transportation Services Manager
Subject: Trip Generation and Vehicle Miles Traveled Screening Analysis for the 38th Avenue Apartments Project, City of Capitola
Date: February 8, 2024
cc: Stephanie Strelow, Dudek
Attachments: Figure 1 – Project Location
Figure 2 – Site Plan

The following technical memorandum provides a trip generation and vehicle miles traveled (VMT) screening analysis for the proposed 38th Avenue Apartments Project (project), located in the City of Capitola (City). This analysis has been prepared consistent with the trip generation methodology from the Institute of Transportation Engineers (ITE) and VMT guidelines per the City of Capitola’s SB 743 Implementation Guidelines (June 2020).

Per Senate Bill 743 (SB 743), the Governor’s Office of Planning and Research (OPR) amended the California Environmental Quality Act (CEQA) Guidelines to provide an alternative to the level of service (LOS) metric for evaluating transportation impacts. CEQA Guidelines Section 15064.3(b) requires the VMT metric for determining the significance of transportation impacts. Under the current CEQA guidelines, LOS, or vehicle delay, is not used to determine transportation impacts, and VMT has been adopted as the most appropriate measure of transportation impacts.

The following analysis was conducted to determine whether further transportation (VMT) analysis would be required for the proposed project, and as below, the proposed project would not require further transportation analysis due to it being a 100% affordable housing project and its relatively low trip generation estimates.

1 Project Description

The project is the construction of a 100% affordable housing project consisting of four apartment buildings totaling approximately 61,215 square feet (SF) with a total of 52 dwelling units (DU). The project site is a vacant parcel located on the east side of 38th Avenue, south of existing private railroad tracks (planned pedestrian/bicycle Coastal Rail Trail) within the City. Regional access to the project area is provided by California State Route 1 to the north, while local access to the project site is provided by 38th Avenue, 41st Avenue to the east, Capitola Road to the north, and Portola Drive to the south. A mid-block crosswalk on 38th Avenue, on the eastern boundary of the site, will be restored and maintained by the project. Figure 1 illustrates the project’s location and Figure 2 illustrates the project’s site plan.

2 Existing Setting

The project site is vacant and is located in the southwest portion of the City in a predominantly residential neighborhood consisting of existing mobile home parks, and single- and multi-family homes. There is some commercial development behind the project to the east, along 41st Avenue. The following describes the existing transportation setting.

Roadways

The following roadways are in the vicinity of the project site:

38th Avenue is a two-lane, undivided, north-south roadway classified as a Collector in the City's General Plan. On-street parking is not permitted along this roadway and there are no designated bike facilities, but there are paved, continuous sidewalks along the west side, and periodically along the east side of the roadway. There is a midblock crosswalk that provides connection to the southeastern portion of the project site. The posted speed limit is 25 miles per hour (MPH). 38th Avenue provides access to Capitola Road, Brommer Street, and Portola Drive.

41st Avenue is a four-lane, majority-divided, north-south roadway classified as an Arterial in the City's General Plan. On-street parking is permitted along both sides of the roadway south of the railroad tracks, and not permitted north of the tracks. There is a Class II (striped) bike lane, as well as paved, continuous sidewalks along both sides of the roadway. The posted speed limit is 35 MPH. 41st Avenue provides access to Highway 1.

Capitola Avenue is a four-lane, divided, east-west roadway classified as an Arterial in the City's General Plan. On-street parking is not permitted along the roadway and there is a Class II (striped) bike lane, as well as paved, continuous sidewalks along both sides of the roadway. The posted speed limit near the project site is 25 MPH.

Portola Drive is a four-lane, undivided, east-west roadway classified as an Arterial in the City's General Plan. The eastern portion of Portola Drive provides primary vehicular access to the public beaches and the Capitola Village area. On-street parking is permitted in sections along the roadway, and there is a Class II (striped) bike lane, as well as paved, continuous sidewalks along both sides of the roadway. The posted speed limit is 30 MPH.

Transit Facilities

Bus transit service and paratransit service in the City of Capitola is provided by Santa Cruz Metropolitan Transit (Metro), which serves the entirety of Santa Cruz County. The closest bus stops to the project site are located on both sides of 38th Avenue, adjacent to the project site. These stops are served by Route 3A/3B and the nearest transit hub is located at 41st Avenue and Capitola Road, approximately 0.5 miles from the project site.

There are three bus routes that serve the project site: Route 2, Route 3A/3B, and Route 55. Route 2 provides service between Capitola and Watsonville and runs on weekdays from 6:15 a.m. to 9:30 p.m. with 30-minute headways, and on weekends from 8:15 a.m. to 8:45 p.m. also with 30-minute headways. Route 3A/3B provides service between Capitola and the University of California, Santa Cruz, and runs on weekdays from 5:55 a.m. to 10:25 p.m. with 60-minute headways, and on weekends from 7:00 a.m. to 11:00 p.m. with 60-minute headways. Route 55 provides service between Capitola and Rio Del Mar and runs on weekdays from 8:30 a.m. to 7:45 p.m. with 100-minute headways, and on weekends at 9:00 a.m., 1:00 p.m., and 5:00 p.m.

Pedestrian and Bicycle Facilities

The City of Capitola’s General Plan Mobility Element (2019) includes several bicycle classifications and provides a comprehensive and updated overview of the City’s current and future recommendations to enhance multi-modal facilities:

Class I Bike Paths: Class I multi-use paths (frequently referred to as “bicycle paths”) are physically separated from motor vehicle travel routes, with exclusive rights-of-way for non-motorized users like bicyclists and pedestrians.

Class II Bicycle Lanes: Bicycle lanes are one-way route types that carry bicycle traffic in the same direction as the adjacent motor vehicle traffic. They are typically located along the right side of the street (although can be on the left side) and are between the adjacent travel lane and curb, road edge, or parking lane. They are not physically separated from motor vehicle traffic.

Class III Bicycle Routes: A bicycle route is a suggested bicycle path of travel marked by signs designating a preferred path between destinations. They are recommended where traffic volumes and roadway speeds are fairly low (35 mph or less). They do not have pavement marking and are not separated from traffic, rather are a share the road facility.

There are no existing bicycle facilities adjacent to the project site along 38th Avenue, but a Class II Bicycle Lane exists on 41st Avenue. Per the Mobility Element, the proposed facilities in the vicinity of the project include Class II facilities along 38th Avenue. As noted above, the majority of adjacent streets to the project site provide sidewalks. Per the Mobility Element, streets with missing sidewalks are to be addressed by the City via the Capitol Improvement Program.

Additionally, the County of Santa Cruz expects to expand the Coastal Rail Trail (County of Santa Cruz) along the railroad tracks along the northern boundary of the project site, expanding pedestrian and bicycle facilities in the vicinity. The Coastal Rail Trail Segments 10 and 11 is an approximately 4.5 mile ADA-accessible bicycle/pedestrian path that generally extends along the Santa Cruz Branch Rail Line (SCBRL) corridor, from 17th Avenue in the City of Santa Cruz, to State Park Drive in the Seacliff neighborhood in the County of Santa Cruz. Segment 10 will run along the northern border of the project site, providing bicycle and pedestrian connectivity with local schools, parks, beaches, community recreation centers, and multiple residential and commercial neighborhoods. These two segments are fully funded, and a schedule for construction is expected to be released in the Spring of 2024.

3 Trip Generation

3.1 Proposed Project

Table 1 provides a summary of trip generation estimates for the project based on trip rates from Trip Generation, 11th Edition (2021), for an Affordable Housing land use (ITE Code 223).

Table 1. Project Trip Generation Summary

Land Use	ITE Code	Size/Units	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates and Trip Generation									
Affordable Housing ¹	223	Per DU	4.81	0.15	0.36	0.50	0.27	0.19	0.46
Project Trip Generation									
38th Avenue Apartments		52 DU	250	8	18	26	14	10	24
Total Trips			250	8	18	26	14	10	24

Notes: DU = dwelling unit

Some of the totals may not match exactly due to rounding.

¹ Trip rates from the Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021. Land Use Code 223 – Affordable Housing.

As shown in Table 1, the proposed project would generate approximately 250 daily trips, with 26 trips (8 inbound and 18 outbound) in the AM peak hour, and 24 trips (14 inbound and 10 outbound) in the PM peak hour.

The City’s General Plan seeks to maintain the established LOS C (General Plan Policy MO-3.3) or better at intersections throughout the City of Capitola, and would require new developments to pay its fair share of costs for any transportation improvements (General Plan Policy MO-3.5) needed as a result of the project’s traffic adding significant impacts to the local roadways.. Significant impacts for intersections are created when traffic from the proposed project causes the LOS to fall below the City LOS threshold and causes any impacted intersections to deteriorate further per the criteria indicated. Consistent with the significant impact criteria documented in the City of Capitola General Plan, the City considers LOS C as the standard, but accepts a lower standard as the minimum acceptable at signalized and unsignalized intersections within the Village Area, along Bay Avenue, and along 41st Avenue where LOS D is the minimum acceptable standard. Based on the relatively low project peak hour trip generation estimates above, the proposed project would not have a measurable effect to existing LOS.

4 VMT Screening Analysis

CEQA Guidelines Section 15064.3 states that “generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts,” and define VMT as “the amount and distance of automobile travel attributable to a project.” It should be noted “automobile” refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT does not need to be included in the analysis, per Senate Bill 743 requirements. Other relevant considerations may include the effects of the project on transit and non-motorized traveled.

The City’s SB 743 Implementation Guidelines provide details on appropriate screening thresholds that can be used to identify when a proposed land use project is anticipated to result in a less than significant VMT impact without conducting a more detailed analysis. A land use project would need to only meet one of the seven screening thresholds to result in a less than significant finding. The seven VMT screening criteria are: 1) Small Projects; 2) Projects Near High Quality Transit; 3) Local-Serving Retail; 4) Affordable Housing; 5) Local Essential Service; 6) Map-Based Screening; and 7) Redevelopment Projects.

Based on the screening criteria, the project would meet the Affordable Housing criteria and therefore would screen out of further VMT analysis and can be presumed to have a less than significant impact to VMT:

- **Affordable Housing¹:** The proposed project is a 100% affordable residential development in an infill location, thus, according to the City’s guidelines, shall be assumed to have a less than significant impact on transportation.

5 Conclusions

Based on the trip generation analysis above, the proposed project would generate approximately 250 daily trips, with 26 trips in the AM peak hour, and 24 trips in the PM peak hour. Based on the relatively low project peak hour trip generation estimates above, the proposed project would not have a measurable effect to existing LOS.

Based on the VMT screening analysis above, the project is a 100% Affordable Housing development that can be expected to shorten commutes and overall reduce VMT. Therefore, the proposed project would be screened out from conducting further VMT analysis and is presumed to have a less than significant VMT impact and the project would not require any mitigation.

6 References

City of Capitola. 2019. *City of Capitola General Plan*.

City of Capitola. 2020. *City of Capitola SB 743 Implementation Guidelines*.

County of Santa Cruz. 2023. *Coastal Rail Trail Segments 10 and 11 Project*. Accessed February 2024. www.dpw.santacruzcounty.us/Home/TransportationRoads/CoastalRailTrail.aspx

ITE (Institute of Transportation Engineers). 2021. *Trip Generation Manual*. 11th ed.

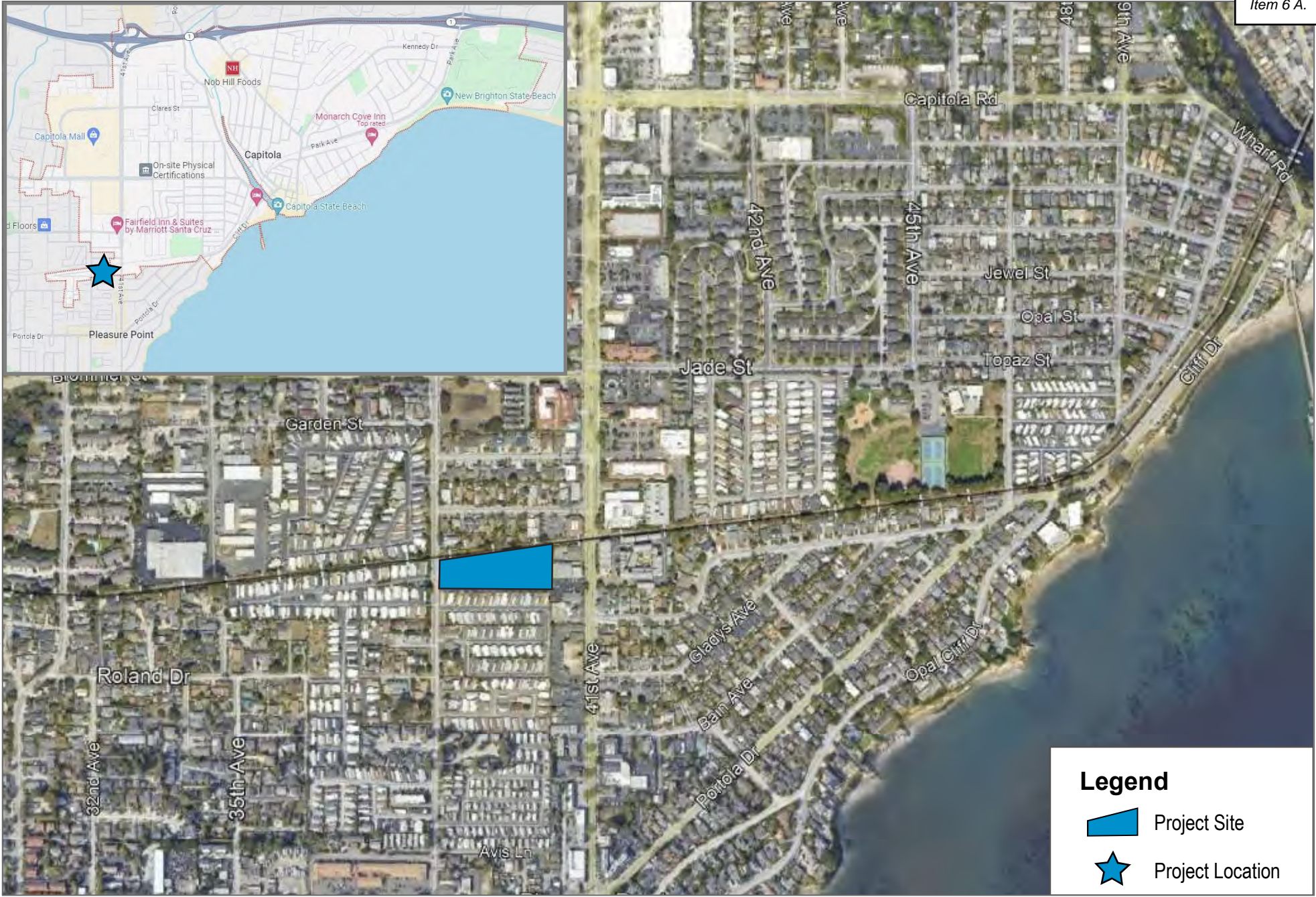
OPR (California Governor’s Office of Planning and Research). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December 2018. Accessed May 2020. http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

Santa Cruz Metropolitan Transit (Metro). 2024. *Schedule*. www.scmttd.com/en/routes/schedule



¹ The OPR Technical Advisory provides data to support the conclusion that adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Accordingly, the recommended screening criteria provide that projects that are 100% affordable residential development, or the residential component of a mixed-use development, in infill locations shall be assumed to have a less than significant impact on transportation. (SB 743 Implementation, 2020)

Figure 1

Project Location



Legend

-  Project Site
-  Project Location

SOURCE: Google Maps, 2024

DUDEK



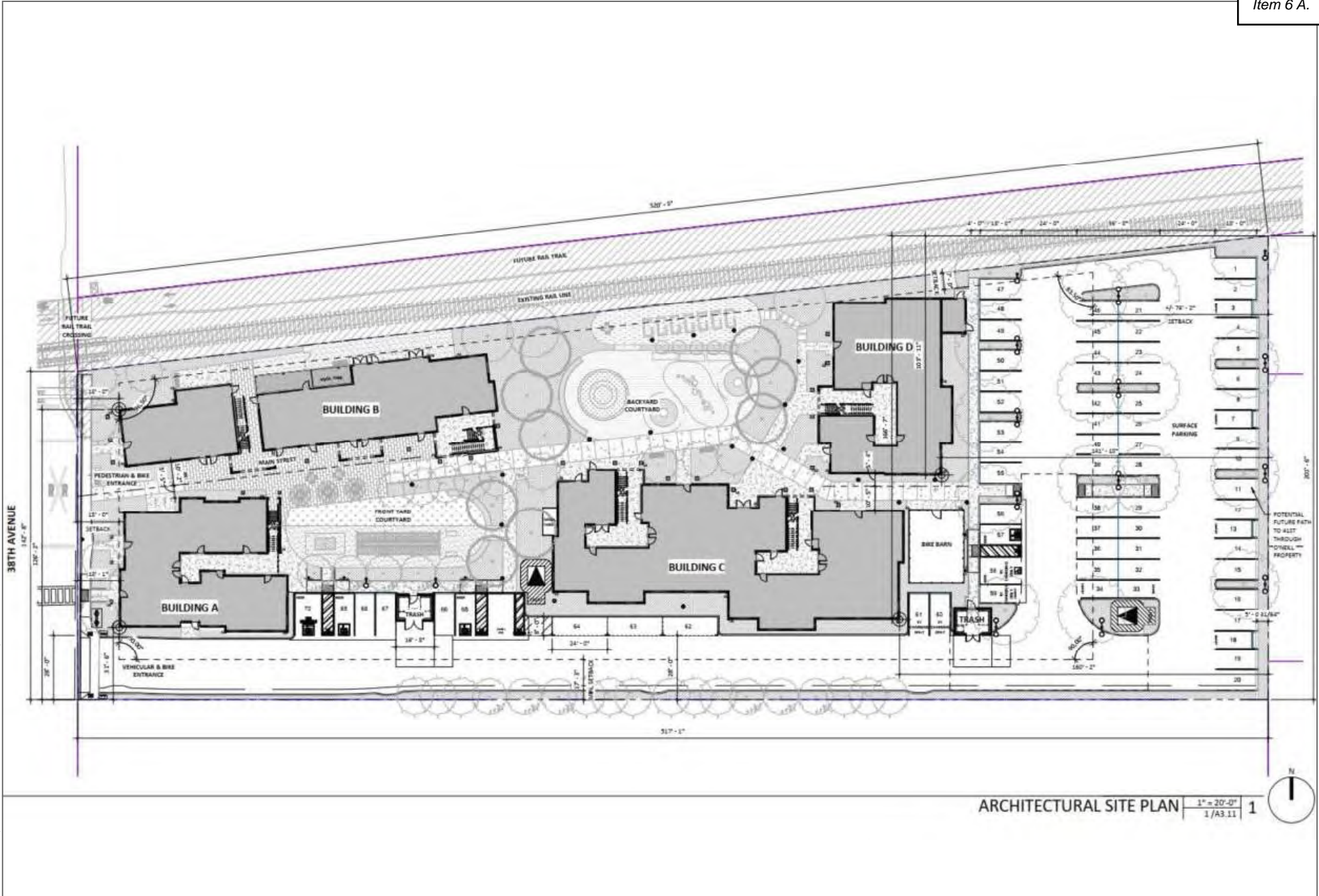
Not to scale

FIGURE 1

Project Location
38th Avenue Apartment

Figure 2

Site Plan



SOURCE: Architects FORA, 2023



FIGURE 2
 Project Site
 38th Avenue Apartment



MEMORANDUM

Date: January 26, 2024	
To: Brian Froelich, Senior Planner	Organization: City of Capitola
From: RRM Design Group	Title: Design Review Team
Project Name: 38 th Avenue Apartments	Project Number: 1783-08-CU24
Topic: 1098 38 th Avenue Apartments Design Peer Review	

Dear Brian,

We have reviewed the proposed design for compliance with the City of Capitola Objective Standards (OS) Ordinance, found within Chapter 17.82 – Objective Standards for Multifamily and Mixed-Use Residential Development within the City Municipal Code.

Project documents reviewed include PA0.1 Title Sheet, PA0.2 Amenity Map, PA0.3 Existing Site Context, PS1.1 Boundary and Topographic Survey, PS1.2 Boundary and Topographic Survey, PS1.3 Boundary and Topographic Survey, C1.0 Grading and Drainage Plan West, C1.1 Grading and Drainage Plan East, C2.0 Utility Plan, C3.0 Public Improvements Plan, C4.0 Stormwater Control Plan, C5.0 Off-Site Storm Drain Plan & Profile, PA1.1 Architectural Site Plan, PA1.2 Fire Access Plan, PA1.3 Site Lighting Plan, PA1.4 Unit Mix Plans, PAA2.1 Building A – Floor Plans, PAA2.2 Building A – Floor and Roof Plan, PAA3.1 Building A – Exterior Elevations, PAB2.1 Building A – Floor Plans, PAB2.2 Building A – Floor and Roof Plan, PAB3.1 Building A – Exterior Elevations, PAC2.1 Building A – Floor Plans, PAC2.2 Building A – Floor and Roof Plan, PAC3.1 Building A – Exterior Elevations, PAD2.1 Building A – Floor Plans, PAD2.2 Building A – Floor and Roof Plan, PAD3.1 Building A – Exterior Elevations, PA2.1 Studio and 1-Bedroom Unit Plans, PA2.2 2-Bedroom Unit Plans, PA2.3 3-Bedroom Unit Plans, PA4.1 Design Narrative, PA4.2 Exterior Conceptual Renderings, PA4.3 Exterior Conceptual Renderings, PA4.4 Exterior Conceptual Renderings, PA4.5 Architectural Character – Contemporary California Craftsman, PA5.1 Materials Board, PA6.1 Objective Design Standards, L1.1 Tree Protection and Removal Plan, L2.1 Tree Mitigation Plan, L2.2 Landscape Plan, L2.3 Open Space, L2.4 Fencing Exhibit, L2.5 Landscape Materials Exhibit, L3.1 Irrigation Plan and Schedule, L3.2 Irrigation Notes, L4.1 Planting List, JT1.01 Dry Utility Standards, JT1.02 Dry Utility Intent.

Neighborhood Character and Patterns

According to the City of Capitola Zoning Map, the project site is zoned Multi-Family Residential, Medium Density (RM-M). The parcel is currently vacant and located along 38th Avenue, within a generally single-family neighborhood. The area immediately surrounding the project site is characterized by a variety of land uses, including single-family residential parcels to the north, commercial parcels to the east, and mobile-home residential parcels to the west and the south.

Project Design Review

The project proposes to construct 52 units of affordable family housing available to low-income households on a 1.98-acre site. Based upon a review of the project plan set, the applicant proposes an architectural style that most closely resembles “Contemporary Coastal” and will be referred to as such going forward within this review.



Project Location

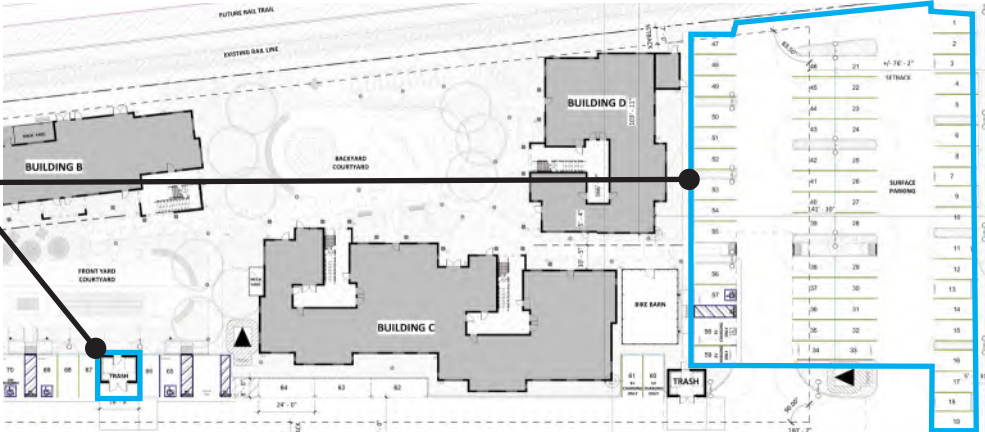
Site Planning

Site planning involves an understanding of appropriate building placement and configuration, but also the consideration of surrounding uses, landscape design, adjacent uses, hardscape, and parking. The applicant has successfully designed the site to be consistent with OS 17.82.040.A, by providing attractive transitions from the public to private realm while also engaging the public street frontage. Additionally, the applicant complies with OS 17.82.040.B.1.a, which requires developments located in the Residential Multifamily (RM) and Mixed Use, Neighborhood (MU-N) zones to include a minimum sidewalk width of 6 feet along the public right-of-way. Proposed interior sidewalks are shown at 6-feet which also complies with OS 17.060.B.4, which requires sidewalks at a minimum of 6 feet connecting building entrances with public streets.

In reviewing the Site Plan, the applicant has appropriately provided parking spaces at the rear of the site to conceal proposed parking from the public realm/street frontage (OS 17.82.050.A). In addition, according to OS 17.82.050.B.2, the maximum width of a new driveway crossing a public sidewalk is 20 feet for a two-car driveway. The applicant is currently proposing a 24 feet driveway on the western side of the project site for vehicular access. The applicant should consider reducing this driveway access dimension to 20 feet (OS 17.82.050.B.2), unless public safety requirements dictate otherwise. Additionally, the applicant has successfully incorporated street facing patios and provided a landscaping buffer adjacent to the sidewalk to enhance the public streetscape (OS 17.82-3.B.2).

While the proposed refuse storage areas are appropriately screened from the public view by a solid enclosure, the applicant should reconsider the location of the western enclosure, as it is located near proposed open space. Moving the enclosure to the eastern parking lot will ensure unwanted odors are not impacting the front yard courtyard, assuming this works for trash company and client program.

Consider re-locating trash enclosure to eastern parking lot to avoid conflict with frontyard courtyard.

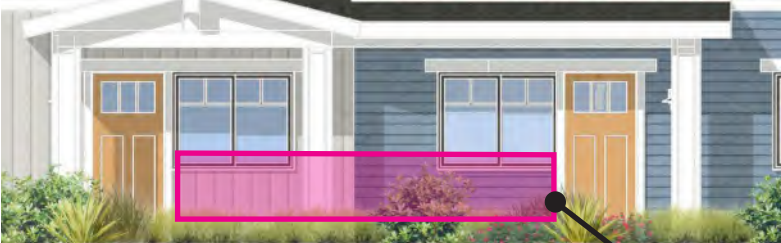


Proposed Site Plan

The applicant is currently proposing four street trees along 38th Avenue, however, there must be at least one street tree for every 30 feet of linear feet of sidewalk. Consider adding an additional street tree as there is a 60 foot gap between the middle street trees provided (OS 17.82.040.B.2.a). Additionally, street trees should be provided within the sidewalk (OS 17.82.040.B.2.a) in tree wells a minimum of 36 inches in width and 36 inches in length (OS 17.82.040.B.2.c).

Architecture

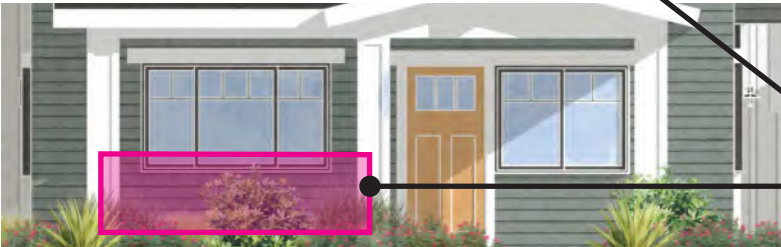
The applicant has successfully proposed a project that aesthetically complements the surrounding neighborhood by providing well designed affordable housing units that respect the scale and is compatible with nearby uses. The Western Elevations of Building A and Building B facing 38th Avenue successfully offer welcoming building frontages that serve as an appropriate transition from the public realm to the private realm (OS 17.82.060.A). While the proposed project complies with the OS Entry Design standards, the applicant should consider adding railing and/or other design intervention to the public street facing porches to create further definition between the private and public realms (OS 17.82.060.C).



Building A Porch



Railing Example



Building B Porch

Consider adding a railing to the porch to create further separation of the private and public realms.

Building massing, or the way the building is sized and appears, is a primary and important component of building design. The applicant has appropriately provided projecting and recessed elements throughout the project design to break up the façade and minimize a boxy appearance (OS 17.82.070 B.1). In reviewing the Floor Plans, the applicant has appropriately provided a projecting or recessed element of at least 2 feet in depth at every 25 feet or less on the street-facing façades of Building A and Building B (OS 17.82.070.B.1.a). To further enhance the design of Building C and Building D, the applicant should consider adding additional massing breaks on the West, East, or South Elevations to provide greater variation.

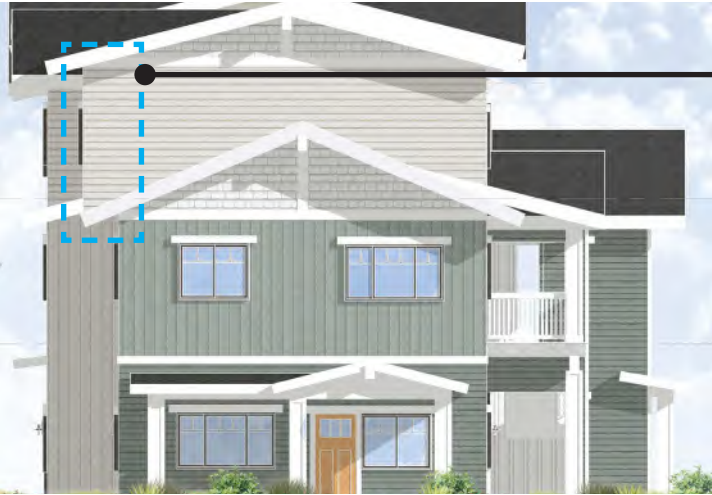
Articulation and detailing are important components to help provide richness and depth within a project design. In reviewing Building A, the applicant has appropriately proposed various articulation elements, such as bumping out sections of the building to provide enhanced visual interest and incorporating setbacks on the upper levels to break up large elevations (OS 17.82.080.A.2). However, in reviewing the North, East, and South Elevations, the applicant should consider adding additional articulation to create more interest at Building A and to break-up blank space to provide architectural integrity on all sides of the structure (OS 17.82.080.A.3).



Incorporate articulation/detailing on elevation to minimize blank space.

Building A North Elevation

Articulation and detailing are important components to help provide richness and depth within a project design. In reviewing Building A, the applicant has appropriately proposed various articulation elements, such as bumping out sections of the building to provide enhanced visual interest and incorporating setbacks on the upper levels to break up large elevations (OS 17.82.080.A.2). However, in reviewing the North, East, and South Elevations, the applicant should consider adding additional articulation to create more interest at Building A and to break-up blank space to provide architectural integrity on all sides of the structure (OS 17.82.080.A.3).



Update this elevation as the third floor does not appear structurally sound.

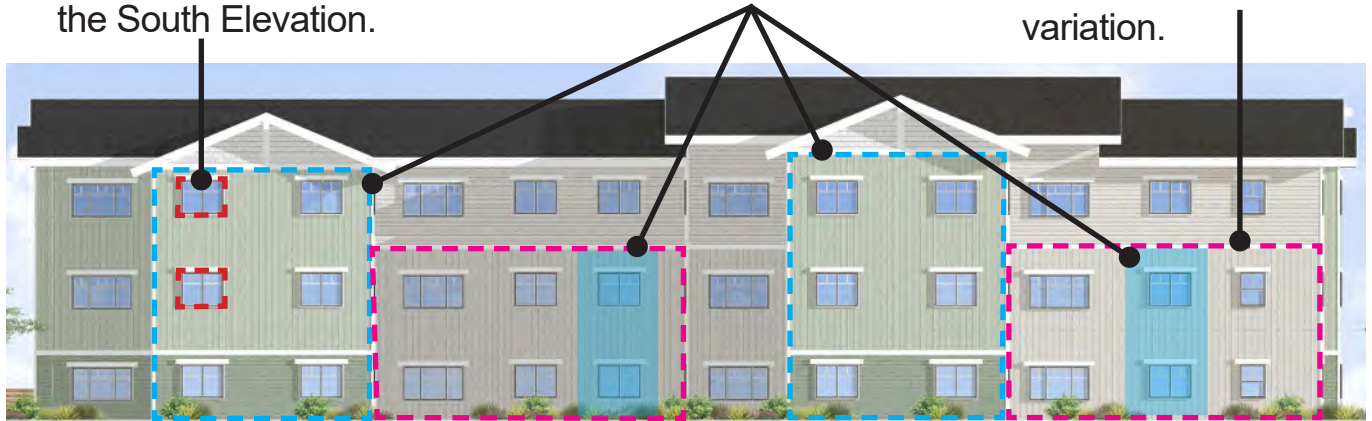
Building B West Elevation

In reviewing the proposed elevations for Building C, there are opportunities for further articulation and detailing on the East, West, and South Elevations to enhance the overall building design. Specifically, the South Elevation presents opportunities to utilize two-story massing and vertical articulation elements to break up the three-story wall plane to increase building variation. For example, the applicant may consider extending the lower floors or using setbacks on upper floors as the building currently lacks vertical articulation (OS 17.82.080.A.3). Create additional articulation detailing through proposing a diverse set of window sizes and heights that coincide with varying stacking articulation elements that differ from floor to floor.

Modify window sizes and locations to provide variety across the South Elevation.

Explore opportunities to enhance the project through pop-outs or upper floor setbacks.

Extend lower floors to add vertical articulation variation.



Building C South Elevation

Building D has similar opportunities as Building C to further enhance the design of the structure by adding further articulation and detailing to the North, East, and South Elevations (OS 17.82.080.A.3).

Roof forms are important in conveying the architectural style and providing visual interest within a project. In reviewing the project design, the applicant has appropriately proposed gable style roof forms, which are considered appropriate with the proposed architectural style. The Western Elevations of Building A and B have successfully proposed roof eaves projecting at least two feet from the street facing building wall (OS 17.82.080.B.4.a), however, the applicant should consider raising the pitch of the roof above each patio space and raise the overall height of the patio to enhance the prominence of the entry way along the public realm and to ensure consistency within the roof design and proposed architectural style.



Consider raising the pitch of the roof and raising the overall height of the patio to enhance the entryway.

Building A West Elevation

Generally, the applicant has successfully proposed stylistically appropriate windows throughout the project design. The applicant should ensure door styling and windows with divided lite details are carried throughout project submittal and final construction. In reviewing the Building Elevations, the applicant has appropriately proposed various window sizes to enhance visual interest on Building A and Building B, however, explore opportunities to provide differing window sizes, heights, and consider pairing window variety with stackable elements on the South Elevation of Building C to improve the project design. Roof and Window Details are provided on Sheet PA4.5 with the intention that wood trim would be applied at window headers only. The applicant should consider extending the wood trim around the entire window, similar to the door approach shown at the Entry Porch Detail. In addition, the applicant should consider modifying the proposed column style to more closely reflect the image shown on Sheet PA4.5, depicting columns with stone base to add greater variation to the materials being utilized within the project design (OS 17.82.080.A.1).

Extend window trim around entire window, similar to the example below.



Window Detail



Example of Window Trim

Consider updating columns to the example shown below.



Proposed Columns



Example of Columns

The applicant has successfully proposed primary building entryway designs that feature covered elements that are visible from the public realm/street and are also connected to the public sidewalk (OS 17.82.060.C.1.a). However, the applicant should explore ways to further enhance the prominence of the entryways through inclusion of additional design interventions such as, raising the height of the primary entrance or recessing the entryway.

Colors and materials provide and add visual interest to a building design. In reviewing the proposed color palette Balmy, Secret Cove, Kind Green, Rockwood Blue Green, Jardin, Greenfield, Dockside Blue, and Smoky Blue, are consistent with the selected architectural style (OS 17.82.080.B.3.h). The proposed material palette of Asphalt Shingle, Board and Batten, Lap Siding, and Shingle Siding are appropriate for the “Contemporary” style (OS 17.82.080.B.3.i). On the Roof and Window Detail the materials transition on the outside corner, the applicant should ensure that materials transition at inside corners instead of outside corners. Separately, on the North Elevation of Building B and the West Elevation of Building C, there is a wood railing material proposed that is not used anywhere else on the project, consider removing or using similar railing styles. Overall, the applicant has proposed an appropriate color and materials palette that is compatible with the surrounding neighborhood uses and the coastal aesthetic of the City.

General Comments

Consider extending the proposed trees along the southern property line to cover the entire boundary line to further screen the project from adjacent uses.

Design Recommendations

The following recommendations are made to better respond to the proposed “Contemporary Coastal” architectural style and to enhance the overall project design.

Site Planning

1. Consider reducing driveway access dimension from 24 feet to 20 feet (OS 17.82.050.B.2).
2. Explore ways to relocate western trash enclosure to the eastern parking lot to maintain proposed open space.
3. Consider adding an additional street tree to remove 60 foot gap between the middle street trees provided (OS 17.82.040.B.2.a).
4. Provide street trees within the sidewalk (OS 17.82.040.B.2.a)
5. Street trees must be in wells that are a minimum of 36 inches in width and 36 inches in length (OS 17.82.040.B.2.c).

Architecture

6. Consider adding railing to the public street facing porches to create further separation from the public realm (OS 17.82.060.C).
7. Explore opportunities for further massing breaks along the western, eastern, and southern elevations on Buildings C and D.
8. Consider adding additional articulation to the northern, eastern, and southern elevations of Building A and break-up blank space (OS 17.82.080.A.3).
9. Update the western elevation of Building B to ensure structural consistency.
10. Consider breaking up Building B on the Eastern Elevation with articulation elements to remove blank space (OS 17.82.080.A.3).
11. Examine the possibility of extending the lower floors or using setbacks on upper floors on the eastern, western, and southern elevations of Building C (OS 17.82.080.A.3).
12. Explore ways to add additional articulation detailing through differing window sizes and heights that coincide with varying stacking articulation elements that differ from floor to floor.
13. Consider further enhancing the design of Building D by adding articulation and variation to the northern, eastern, and southern elevations (OS 17.82.080.A.3).
14. Consider raising the pitch of the roof above Building A and Building B patio space to enhance the prominence of the entry way along the public realm.
15. Extend the wood trim around the entire window.

16. Modify window sizes and heights across the South Elevation on Building C and consider pairing window variety with stackable articulation elements.
17. Consider modifying the proposed column style to the image shown on Sheet PA4.5 depicting columns with stone base to add variation to the building (OS 17.82.080.A.1).

Overall, we feel the applicant has proposed a project that is appropriate to the location and surrounding context of the site. However, as addressed above, we have a few design concerns regarding massing, articulation, and windows, among others, that will have to be adequately addressed by the applicant to ensure a project that appropriately addresses the existing neighborhood context while also being consistent with City's Objective Standards Ordinance and desire for high-quality new developments.

Very truly yours,

RRM DESIGN GROUP



38th Ave Capitola

[01 PLAN CHECK RESPONSES]

PROJECT ADDRESS: **1098 38th Ave, Capitola, CA 95062**
 APN: **034-172-01**
 COMMENTS RECEIVED: **01/30/24**
 RESPONSE PROVIDED: **03/07/24**

JURISDICTION: **City of Capitola**
 PLANNING NUMBER: **23-0525**
 PROJECT NUMBER: **1783-08-CU24**
 REVIEWER: **RRM Design Group**
 REVIEWER CONTACT INFO:

P:

Design Review			
#	Comment	Response	Reference Sheet/s
1	Consider reducing driveway access dimension from 24 feet to 20 feet (OS 17.82.050.B.2).	Drive aisle is shown at 24' to accommodate the fire access road requirements. The access road width and requirements were coordinated with Central Fire prior to planning submittal.	PA1.1
2	Explore ways to relocate western trash enclosure to the eastern parking lot to maintain proposed open space.	One trash enclosure is shown at the SW corner of the parking lot. The second trash enclosure is located more centrally on the site to provide easy access for residents and staff in Buildings A and B towards the west of the property. Both enclosures are located along the southern driveway to accommodate Green Waste pickup. To minimize impact on open space, both trash enclosures are designed in a similar style as the residential buildings, open away from the open space, and include a hose bib for regular maintenance and cleaning. Please see trash enclosure drawings on sheet PA5.2 for more details.	PA1.1 + PA5.2
3	Consider adding an additional street tree to remove 60 foot gap between the middle street trees provided (OS 17.82.040.B.2.a).	An additional tree has been added adjacent to the sidewalk to distribute trees more evenly along the 38th St frontage. Due to utility conflicts, sight triangle, and rooflines, even distribution is not advisable, but the revision has attempted to meet the spirit of the comment.	PL2.1 + PL2.2
4	Provide street trees within the sidewalk (OS 17.82.040.B.2.a)	Sidewalks are designed at 4ft width to match adjacent neighborhood sidewalks. With this width, the addition of 36"x36" street tree wells would not allow for adequate clear line of travel. The plans show trees on the property in close proximity to the property line as an alternative to street trees within the sidewalk. This approach was reviewed with Brian Froelich during the comment review meeting on 2/7/24 and this approach was agreed upon as the best option for this section of street frontage.	PL2.2
5	Street trees must be in wells that are a minimum of 36 inches in width and 36 inches in length (OS 17.82.040.B.2.c).	See response to item 4 above.	
6	Consider adding railing to the public street facing porches to create further separation from the public realm (OS 17.82.060.C).	Railing along street facing porches has been incorporated. See updated street facing elevations PAA3.1, PAB3.1 and rendering on PA4.2	PAA3.1 + PAB3.1
7	Explore opportunities for further massing breaks along the western, eastern, and southern elevations on Buildings C and D.	We added vertical variation through a more varied window scheme and two-toned color approach that we believe helps to break up these elevations while maintaining cost feasibility. See elevations on sheets PAC3.1 and PAD3.1 We explored additional vertical breaks and awnings along these elevations, and found that they added cost and complexity without a significant benefit beyond the strategies above and did not see opportunities to repeat these strategies on other facades and buildings for a cohesive design.	PAC3.1 + PAD3.1
8	Consider adding additional articulation to the northern, eastern, and southern elevations of Building A and break-up blank space (OS 17.82.080.A.3).	Building A has been updated to provide more articulation via windows, changes in plane, and accent colors to better align with strategies employed on other buildings. See updated Building A elevations on PAA3.1 and renderings on PA4.2 and PA4.4.	PAA3.1 + PA4.2 + PA4.4.
9	Update the western elevation of Building B to ensure structural consistency.	The roofline beyond has been updated to provide a gap between the roof lines to visually clarify. See updated Building B Elevation on PAB3.1	PAB3.1
10	Consider breaking up Building B on the Eastern Elevation with articulation elements to remove blank space (OS 17.82.080.A.3).	Windows added where appropriate with plans. Please see updated Building B Elevation on PAB3.1	PAB3.1

11	Examine the possibility of extending the lower floors or using setbacks on upper floors on the eastern, western, and southern elevations of Building C (OS 17.82.080.A.3).	We have updated the design to incorporate a color change, trim piece, and window variation at the upper levels in order to add vertical variation throughout the building. See updated Building C elevations on PAC3.1. Extending lower floors or stepping back upper floors created a more complex and costly structure in this building. Stacked floor plates allow the structure to be simplified, and keep overall construction pricing competitive for financing.	PAC3.1
12	Explore ways to add additional articulation detailing through differing window sizes and heights that coincide with varying stacking articulation elements that differ from floor to floor.	We appreciated this comment and added different window sizes along the upper level from the lower levels to add articulation. Great suggestion. We've implemented this strategy across all buildings for a cohesive approach. See updated elevations: PAA3.1, PAB3.1, PAC3.1, PAD3.1	PAA3.1, PAB3.1, PAC3.1, PAD3.1
13	Consider further enhancing the design of Building D by adding articulation and variation to the northern, eastern, and southern elevations (OS 17.82.080.A.3).	See updated elevations on PAD3.1 for additional variation through two-tone color, updated window variation, and increased porch roof slopes.	PAD3.1
14	Consider raising the pitch of the roof above Building A and Building B patio space to enhance the prominence of the entry way along the public realm.	Roof pitch raised from 3:12 to 5:12 to match main gables, see elevations and detail 3/PA4.5	PAA3.1 + PAB3.1 + PA4.5
15	Extend the wood trim around the entire window.	Wood trim extended around window to match building field color. The header is left white and extends beyond the side trim to provide contemporary take on a traditional craftsman detail. Rather than the molded profile of traditional details, the extension and color emphasize the header. See detail 2/PA4.5	PA4.5
16	Modify window sizes and heights across the South Elevation on Building C and consider pairing window variety with stackable articulation elements.	See response to item 12 above. See updated elevations on PAC3.1	PAC3.1
17	Consider modifying the proposed column style to the image shown on Sheet PA4.5 depicting columns with stone base to add variation to the building (OS 17.82.080.A.1).	We have modified the street facing porch columns to add a double column over a solid base. This proportion and solid base provide a more substantial and visually interesting column type along the street facing porches. In keeping with the siding materials on the building and accent color used at our Stair Entrance internal to the site, we are proposing a horizontal fiber cement siding base to match the accent color of Buildings A and B. Our team believes this adds prominence and variation in keeping with this comment. We explored adding a stone material or natural wood material at these few column locations as well, however they felt odd and out of balance with the other buildings and facades.	PAA-3.1 + PAB-3.1 + PA4.5
18	Enhance the prominence of the entryways through inclusion of additional design interventions such as, raising the height of the primary entrance or recessing the interventions such as, raising the height of the primary entrance or recessing the entryway	To increase the porch and entryway prominence, we have increased the porch roof slope to 5:12, added guardrails, and adjusted column design to provide proposed proportions and mass along the street frontage. The additional interventions noted such as increasing the height or recessing the entryway were evaluated and found to add cost and complexity to the project as well as reducing interior living space in the units.	PAA3.1 + PAB3.1 + PA4.5
19	Consider extending the proposed trees along the southern property line to cover the entire boundary line to further screen the project from adjacent uses.	Trees extended along southern property line, see landscape plan sheet L2.2	PL2.2


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TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 4.3. Density Bonuses and Other Incentives [65915 - 65918] (Chapter 4.3 added by Stats. 1979, Ch. 1207.)

65915. (a) (1) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall comply with this section. A city, county, or city and county shall adopt an ordinance that specifies how compliance with this section will be implemented. Except as otherwise provided in subdivision (s), failure to adopt an ordinance shall not relieve a city, county, or city and county from complying with this section.

(2) A local government shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section. This subdivision does not prohibit a local government from requiring an applicant to provide reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p).

(3) In order to provide for the expeditious processing of a density bonus application, the local government shall do all of the following:

(A) Adopt procedures and timelines for processing a density bonus application.

(B) Provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete. This list shall be consistent with this chapter.

(C) Notify the applicant for a density bonus whether the application is complete in a manner consistent with the timelines specified in Section 65943.

(D) (i) If the local government notifies the applicant that the application is deemed complete pursuant to subparagraph (C), provide the applicant with a determination as to the following matters:

(I) The amount of density bonus, calculated pursuant to subdivision (f), for which the applicant is eligible.

(II) If the applicant requests a parking ratio pursuant to subdivision (p), the parking ratio for which the applicant is eligible.

(III) If the applicant requests incentives or concessions pursuant to subdivision (d) or waivers or reductions of development standards pursuant to subdivision (e), whether the applicant has provided adequate information for the local government to make a determination as to those incentives, concessions, or waivers or reductions of development standards.

(ii) Any determination required by this subparagraph shall be based on the development project at the time the application is deemed complete. The local government shall adjust the amount of density bonus and parking ratios awarded pursuant to this section based on any changes to the project during the course of development.

(b) (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p), if an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:

(A) Ten percent of the total units of a housing development, including a shared housing building development, for rental or sale to lower income households, as defined in Section 50079.5 of the Health and Safety Code.

(B) Five percent of the total units of a housing development, including a shared housing building development, for rental sale to very low income households, as defined in Section 50105 of the Health and Safety Code.

(C) A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code. For purposes of this subparagraph, "development" includes a shared housing building development.

(D) Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

(F) (i) Twenty percent of the total units for lower income students in a student housing development that meets the following requirements:

(I) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this subclause, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the city, county, or city and county that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this subclause is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(II) The applicable 20-percent units will be used for lower income students.

(III) The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

(IV) The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person's homeless status may verify a person's status as homeless for purposes of this subclause.

(ii) For purposes of calculating a density bonus granted pursuant to this subparagraph, the term "unit" as used in this section means one rental bed and its pro rata share of associated common area facilities. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years.

(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code. For purposes of this subparagraph, "development" includes a shared housing building development.

(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), an applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), (D), (E), (F), or (G) of paragraph (1).

(c) (1) (A) An applicant shall agree to, and the city, county, or city and county shall ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

(B) (i) Except as otherwise provided in clause (ii), rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(ii) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), rents for all units in the development, including both base density and density bonus units, shall be as follows:

(I) The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(II) The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee.

(2) (A) An applicant shall agree to ensure, and the city, county, or city and county shall ensure, that a for-sale unit that qualified the applicant for the award of the density bonus meets either of the following conditions:

(i) The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code and is subject to an equity sharing agreement.

(ii) The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code and that includes all of the following:

(I) A repurchase option that requires a subsequent purchaser of the property that desires to resell or convey the property to offer the qualified nonprofit corporation the right to repurchase the property prior to selling or conveying that property to any other purchaser.

(II) An equity sharing agreement.

(III) Affordability restrictions on the sale and conveyance of the property that ensure that the property will be preserved for lower income housing for at least 45 years for owner-occupied housing units and will be sold or resold only to persons or families of very low, low, or moderate income, as defined in Section 50052.5 of the Health and Safety Code.

(B) For purposes of this paragraph, a "qualified nonprofit housing corporation" is a nonprofit housing corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

(C) The local government shall enforce an equity sharing agreement required pursuant to clause (i) or (ii) of subparagraph (A), unless it is in conflict with the requirements of another public funding source or law or may defer to the recapture provisions of the public funding source. The following apply to the equity sharing agreement:

(i) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller's proportionate share of appreciation.

(ii) Except as provided in clause (v), the local government shall recapture any initial subsidy, as defined in clause (iii), and its proportionate share of appreciation, as defined in clause (iv), which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.

(iii) For purposes of this subdivision, the local government's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

(iv) For purposes of this subdivision, the local government's proportionate share of appreciation shall be equal to the ratio of the local government's initial subsidy to the fair market value of the home at the time of initial sale.

(v) If the unit is purchased or developed by a qualified nonprofit housing corporation pursuant to clause (ii) of subparagraph (A) the local government may enter into a contract with the qualified nonprofit housing corporation under which the qualified nonprofit housing corporation would recapture any initial subsidy and its proportionate share of appreciation if the qualified nonprofit housing corporation is required to use 100 percent of the proceeds to promote homeownership for lower income households as defined by Health and Safety Code Section 50079.5 within the jurisdiction of the local government.

(3) (A) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:

(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in subdivision (b).

(ii) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

(B) For the purposes of this paragraph, "replace" shall mean either of the following:

(i) If any dwelling units described in subparagraph (A) are occupied on the date of application, the proposed housing development shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. For unoccupied dwelling units described in subparagraph (A) in a development with occupied units, the proposed housing development shall provide units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as the last household in occupancy. If the income category of the last household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) If all dwelling units described in subparagraph (A) have been vacated or demolished within the five-year period preceding the application, the proposed housing development shall provide at least the same number of units of equivalent size as existed at the highpoint of those units in the five-year period preceding the application to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. If the incomes of the persons and families in occupancy at the highpoint is not known, it shall be rebuttably presumed that low-income and very low income renter households occupied these units in the same proportion of low-income and very low income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(C) Notwithstanding subparagraph (B), for any dwelling unit described in subparagraph (A) that is or was, within the five-year period preceding the application, subject to a form of rent or price control through a local government's valid exercise of its police power and that is or was occupied by persons or families above lower income, the city, county, or city and county may do either of the following:

(i) Require that the replacement units be made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).

(ii) Require that the units be replaced in compliance with the jurisdiction's rent or price control ordinance, provided that each unit described in subparagraph (A) is replaced. Unless otherwise required by the jurisdiction's rent or price control ordinance, these units shall not be subject to a recorded affordability restriction.

(D) For purposes of this paragraph, "equivalent size" means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

(E) Subparagraph (A) does not apply to an applicant seeking a density bonus for a proposed housing development if the applicant's application was submitted to, or processed by, a city, county, or city and county before January 1, 2015.

(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a development in which the units are for sale.

(B) Two incentives or concessions for projects that include at least 17 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a development in which the units are for sale.

(C) Three incentives or concessions for projects that include at least 24 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a development in which the units are for sale.

(D) Four incentives or concessions for a project meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.

(E) One incentive or concession for projects that include at least 20 percent of the total units for lower income students in a student housing development.

(3) The applicant may initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require a local government to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to grant an incentive or concession that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. The city, county, or city and county shall establish procedures for carrying out this section that shall include legislative body approval of the means of compliance with this section.

(4) The city, county, or city and county shall bear the burden of proof for the denial of a requested concession or incentive.

(e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

(2) A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(3) A housing development that receives a waiver from any maximum controls on density pursuant to clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f) shall only be eligible for a waiver or reduction of development standards as provided in subparagraph (D) of paragraph (2) of subdivision (d) and clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f), unless the city, county, or city and county agrees to additional waivers or reductions of development standards.

(f) For the purposes of this chapter, "density bonus" means a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city, county, or city and county, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

(1) For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	20
11	21.5
12	23

13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35
21	38.75
22	42.5
23	46.25
24	50

(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

(3) (A) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of senior housing units.

(B) For housing developments meeting the criteria of subparagraph (E) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that subparagraph.

(C) For housing developments meeting the criteria of subparagraph (F) of paragraph (1) of subdivision (b), the density bonus shall be 35 percent of the student housing units.

(D) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:

- (i) Except as otherwise provided in clauses (ii) and (iii), the density bonus shall be 80 percent of the number of units for lower income households.
- (ii) If the housing development is located within one-half mile of a major transit stop, the city, county, or city and county shall not impose any maximum controls on density.
- (iii) If the housing development is located in a very low vehicle travel area within a designated county, the city, county, or city and county shall not impose any maximum controls on density.

(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Moderate-Income Units	Percentage Density Bonus
10	5
11	6

Item 6 A.

12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35
41	38.75
42	42.5
43	46.25
44	50

(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

(g) (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county in accordance with this subdivision, the applicant shall be entitled to a 15-percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19

15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

(2) This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks an increase pursuant to both this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

(A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

(B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned with appropriate development standards for development at the density described in paragraph (3) of subdivision (c) of Section 65583.2, and is or will be served by adequate public facilities and infrastructure.

(D) The transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the local government before the time of transfer.

(E) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of the transfer.

(F) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.

(G) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.

(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

(h) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project, the city, county, or city and county shall grant either of the following:

(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.

(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

(2) The city, county, or city and county shall require, as a condition of approving the housing development, that the following occur:

(A) The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).

(B) Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).

(3) Notwithstanding any requirement of this subdivision, a city, county, or city and county shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.

(4) "Childcare facility," as used in this section, means a child daycare facility other than a family daycare home, including, but not limited to, infant centers, preschools, extended daycare facilities, and schoolage childcare centers.

(i) "Housing development," as used in this section, means a development project for five or more residential units, including mixed-use developments. For the purposes of this section, "housing development" also includes a subdivision or common interest development, as defined in Section 4100 of the Civil Code, approved by a city, county, or city and county and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

(j) (1) The granting of a concession or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval. For purposes of this subdivision, "study" does not include reasonable documentation to establish eligibility for the concession or incentive or to demonstrate that the incentive or concession meets the definition set forth in subdivision (k). This provision is declaratory of existing law.

(2) Except as provided in subdivisions (d) and (e), the granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.

(k) For the purposes of this chapter, concession or incentive means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(2) Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(l) Subdivision (k) does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(m) This section does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which the applicant is entitled under this section shall be permitted in a manner that is consistent with this section and Division 20 (commencing with Section 30000) of the Public Resources Code.

(n) If permitted by local ordinance, nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.

(o) For purposes of this section, the following definitions shall apply:

(1) "Designated county" includes the Counties of Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Solano, Sonoma, and Ventura.

(2) "Development standard" includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

(3) "Located within one-half mile of a major transit stop" means that any point on a proposed development, for which an applicant seeks a density bonus, other incentives or concessions, waivers or reductions of development standards, or a vehicular parking ratio pursuant to this section, is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.

(4) "Lower income student" means a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student to occupy a unit for lower income students under this section shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

(5) "Major transit stop" has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code.

(6) "Maximum allowable residential density" or "base density" means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:

(A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.

(B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

(7) (A) (i) "Shared housing building" means a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(ii) A "shared housing building" may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.

(B) "Shared housing unit" means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the "minimum room area" specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of "guestroom" in Section R202 of the California Residential Code. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(8) (A) "Total units" or "total dwelling units" means a calculation of the number of units that:

(i) Excludes a unit added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.

(ii) Includes a unit designated to satisfy an inclusionary zoning requirement of a city, county, or city and county.

(B) For purposes of calculating a density bonus granted pursuant to this section for a shared housing building, "unit" means one shared housing unit and its pro rata share of associated common area facilities.

(9) "Very low vehicle travel area" means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita. For purposes of this paragraph, "area" may include a travel analysis zone, hexagon, or grid. For the purposes of determining "regional vehicle miles traveled per capita" pursuant to this paragraph, a "region" is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

(p) (1) Except as provided in paragraphs (2), (3), and (4), upon the request of the developer, a city, county, or city and county shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, of a development meeting the criteria of subdivisions (b) and (c), that exceeds the following ratios:

- (A) Zero to one bedroom: one onsite parking space.
- (B) Two to three bedrooms: one and one-half onsite parking spaces.
- (C) Four and more bedrooms: two and one-half parking spaces.

(2) (A) Notwithstanding paragraph (1), if a development includes at least 20 percent low-income units for housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b) or at least 11 percent very low income units for housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per unit. Notwithstanding paragraph (1), if a development includes at least 40 percent moderate-income units for housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, and the residents of the development have unobstructed access to the major transit stop from the development then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per bedroom.

(B) For purposes of this subdivision, "unobstructed access to the major transit stop" means a resident is able to access the major transit stop without encountering natural or constructed impediments. For purposes of this subparagraph, "natural or constructed impediments" includes, but is not limited to, freeways, rivers, mountains, and bodies of water, but does not include residential structures, shopping centers, parking lots, or rails used for transit.

(3) Notwithstanding paragraph (1), if a development meets the criteria of subparagraph (G) of paragraph (1) of subdivision (b), then, upon the request of the developer, a city, county, or city and county shall not impose vehicular parking standards if the development meets any of the following criteria:

- (A) The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.
- (B) The development is a for-rent housing development for individuals who are 55 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
- (C) The development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

(4) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.

(5) This subdivision shall apply to a development that meets the requirements of subdivisions (b) and (c), but only at the request of the applicant. An applicant may request parking incentives or concessions beyond those provided in this subdivision pursuant to subdivision (d).

(6) This subdivision does not preclude a city, county, or city and county from reducing or eliminating a parking requirement for development projects of any type in any location.

(7) Notwithstanding paragraphs (2) and (3), if a city, county, city and county, or an independent consultant has conducted an areawide or jurisdictionwide parking study in the last seven years, then the city, county, or city and county may impose a higher vehicular parking ratio not to exceed the ratio described in paragraph (1), based upon substantial evidence found in the parking study, that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low-income and very low income individuals, including seniors and special needs individuals. The city, county, or city and county shall pay the costs of any new

study. The city, county, or city and county shall make findings, based on a parking study completed in conformity with this paragraph, supporting the need for the higher parking ratio.

(8) A request pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(q) Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number. The Legislature finds and declares that this provision is declaratory of existing law.

(r) This chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.

(s) Notwithstanding any other law, if a city, including a charter city, county, or city and county has adopted an ordinance or a housing program, or both an ordinance and a housing program, that incentivizes the development of affordable housing that allows for density bonuses that exceed the density bonuses required by the version of this section effective through December 31, 2020, that city, county, or city and county is not required to amend or otherwise update its ordinance or corresponding affordable housing incentive program to comply with the amendments made to this section by the act adding this subdivision, and is exempt from complying with the incentive and concession calculation amendments made to this section by the act adding this subdivision as set forth in subdivision (d), particularly subparagraphs (B) and (C) of paragraph (2) of that subdivision, and the amendments made to the density tables under subdivision (f).

(t) When an applicant proposes to construct a housing development that conforms to the requirements of subparagraph (A) or (B) of paragraph (1) of subdivision (b) that is a shared housing building, the city, county, or city and county shall not require any minimum unit size requirements or minimum bedroom requirements that are in conflict with paragraph (7) of subdivision (o).

(u) (1) The Legislature finds and declares that the intent behind the Density Bonus Law is to allow public entities to reduce or even eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance in exchange for affordable units. It further reaffirms that the intent is to cover at least some of the financing gap of affordable housing with regulatory incentives, rather than additional public subsidy.

(2) It is therefore the intent of the Legislature to make modifications to the Density Bonus Law by the act adding this subdivision to further incentivize the construction of very low, low-, and moderate-income housing units. It is further the intent of the Legislature in making these modifications to the Density Bonus Law to ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of adequate levels of affordable housing. The Legislature further intends that these modifications will ensure that the Density Bonus Law creates incentives for the construction of more housing across all areas of the state.

(Amended by Stats. 2022, Ch. 653, Sec. 1.5. (AB 2334) Effective January 1, 2023.)

65915.1. For purposes of Section 65915, affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, shall not be imposed on a housing development's affordable units.

(Added by Stats. 2021, Ch. 346, Sec. 1. (AB 571) Effective January 1, 2022.)

65915.2. If permitted by local ordinance, nothing in Section 65915 shall be construed to prohibit a city, county, or city and county from requiring an affordability period longer than 55 years for any units that qualified the applicant for the award of the density bonus developed in compliance with a local ordinance that requires, as a condition of the development of residential units, that the development include a certain percentage of units that are affordable to, and occupied by, low-income, lower income, very low income, or extremely low income households and that will be financed without low-income housing tax credits.

(Added by Stats. 2021, Ch. 348, Sec. 1. (AB 634) Effective January 1, 2022.)

65915.5. (a) When an applicant for approval to convert apartments to a condominium project agrees to provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income as defined in Section 50093 of the Health and Safety Code, or 15 percent of the total units of the proposed condominium project to lower income households as defined in Section 50079.5 of the Health and Safety Code, and agrees to pay for the reasonably necessary administrative costs incurred by a city, county, or city and county pursuant to this section, the city, county, or city and county shall either (1) grant a density bonus or (2) provide other incentives of equivalent financial value. A city, county, or city and county may place such reasonable conditions on the granting of a density bonus or other incentives of equivalent financial value as it finds appropriate, including, but not limited to, conditions which assure continued affordability of units to subsequent purchasers who are persons and families of low and moderate income or lower income households.

(b) For purposes of this section, "density bonus" means an increase in units of 25 percent over the number of apartments, to be provided within the existing structure or structures proposed for conversion.

(c) For purposes of this section, "other incentives of equivalent financial value" shall not be construed to require a city, county, or city and county to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the city, county, or city and county might otherwise apply as conditions of conversion approval.

(d) An applicant for approval to convert apartments to a condominium project may submit to a city, county, or city and county a preliminary proposal pursuant to this section prior to the submittal of any formal requests for subdivision map approvals. The city, county, or city and county shall, within 90 days of receipt of a written proposal, notify the applicant in writing of the manner

in which it will comply with this section. The city, county, or city and county shall establish procedures for carrying out this section, which shall include legislative body approval of the means of compliance with this section.

(e) Nothing in this section shall be construed to require a city, county, or city and county to approve a proposal to convert apartments to condominiums.

(f) An applicant shall be ineligible for a density bonus or other incentives under this section if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under Section 65915.

(g) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the condominium project is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed condominium project replaces those units, as defined in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65915, and either of the following applies:

(1) The proposed condominium project, inclusive of the units replaced pursuant to subparagraph (B) of paragraph (3) of subdivision (c) of Section 65915, contains affordable units at the percentages set forth in subdivision (a).

(2) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

(h) Subdivision (g) does not apply to an applicant seeking a density bonus for a proposed housing development if their application was submitted to, or processed by, a city, county, or city and county before January 1, 2015.

(Amended by Stats. 2014, Ch. 682, Sec. 2. (AB 2222) Effective January 1, 2015.)

65915.7. (a) When an applicant for approval of a commercial development has entered into an agreement for partnered housing described in subdivision (c) to contribute affordable housing through a joint project or two separate projects encompassing affordable housing, the city, county, or city and county shall grant to the commercial developer a development bonus as prescribed in subdivision (b). Housing shall be constructed on the site of the commercial development or on a site that is all of the following:

(1) Within the boundaries of the local government.

(2) In close proximity to public amenities including schools and employment centers.

(3) Located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code.

(b) The development bonus granted to the commercial developer shall mean incentives, mutually agreed upon by the developer and the jurisdiction, that may include, but are not limited to, any of the following:

(1) Up to a 20-percent increase in maximum allowable intensity in the General Plan.

(2) Up to a 20-percent increase in maximum allowable floor area ratio.

(3) Up to a 20-percent increase in maximum height requirements.

(4) Up to a 20-percent reduction in minimum parking requirements.

(5) Use of a limited-use/limited-application elevator for upper floor accessibility.

(6) An exception to a zoning ordinance or other land use regulation.

(c) For purposes of this section, the agreement for partnered housing shall be between the commercial developer and the housing developer, shall identify how the commercial developer will contribute affordable housing, and shall be approved by the city, county, or city and county.

(d) For purposes of this section, affordable housing may be contributed by the commercial developer in one of the following manners:

(1) The commercial developer may directly build the units.

(2) The commercial developer may donate a portion of the site or property elsewhere to the affordable housing developer for use as a site for affordable housing.

(3) The commercial developer may make a cash payment to the affordable housing developer that shall be used towards the costs of constructing the affordable housing project.

(e) For purposes of this section, subparagraph (A) of paragraph (3) of subdivision (c) of Section 65915 shall apply.

(f) Nothing in this section shall preclude any additional allowances or incentives offered to developers by local governments pursuant to law or regulation.

(g) If the developer of the affordable units does not commence with construction of those units in accordance with timelines ascribed by the agreement described in subdivision (c), the local government may withhold certificates of occupancy for the commercial development under construction until the developer has completed construction of the affordable units.

(h) In order to qualify for a development bonus under this section, a commercial developer shall partner with a housing developer that provides at least 30 percent of the total units for low-income households or at least 15 percent of the total units for very low-income households.

(i) Nothing in this section shall preclude an affordable housing developer from seeking a density bonus, concessions or incentives, waivers or reductions of development standards, or parking ratios under Section 65915.

(j) A development bonus pursuant to this section shall not include a reduction or waiver of the requirements within an ordinance that requires the payment of a fee by a commercial developer for the promotion or provision of affordable housing.

(k) A city or county shall submit to the Department of Housing and Community Development, as part of the annual report required by Section 65400, information describing a commercial development bonus approved pursuant to this section, including the terms of the agreements between the commercial developer and the affordable housing developer, and the developers and the local jurisdiction, and the number of affordable units constructed as part of the agreements.

(l) For purposes of this section, "partner" means formation of a partnership, limited liability company, corporation, or other entity recognized by the state in which the commercial development applicant and the affordable housing developer are each partners, members, shareholders or other participants, or a contract or agreement between a commercial development applicant and affordable housing developer for the development of both the commercial and the affordable housing properties.

(m) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

(Added by Stats. 2022, Ch. 637, Sec. 1. (AB 1551) Effective January 1, 2023. Repealed as of January 1, 2028, by its own provisions.)

65916. Where there is a direct financial contribution to a housing development pursuant to Section 65915 through participation in cost of infrastructure, write-down of land costs, or subsidizing the cost of construction, the city, county, or city and county shall assure continued availability for low- and moderate-income units for 30 years. When appropriate, the agreement provided for in Section 65915 shall specify the mechanisms and procedures necessary to carry out this section.

(Added by Stats. 1979, Ch. 1207.)

65917. In enacting this chapter it is the intent of the Legislature that the density bonus or other incentives offered by the city, county, or city and county pursuant to this chapter shall contribute significantly to the economic feasibility of lower income housing in proposed housing developments. In the absence of an agreement by a developer in accordance with Section 65915, a locality shall not offer a density bonus or any other incentive that would undermine the intent of this chapter.

(Amended by Stats. 2001, Ch. 115, Sec. 14. Effective January 1, 2002.)

65917.2. (a) As used in this section, the following terms shall have the following meanings:

(1) "Eligible housing development" means a development that satisfies all of the following criteria:

(A) The development is a multifamily housing development that contains five or more residential units, exclusive of any other floor area ratio bonus or incentive or concession awarded pursuant to this chapter.

(B) The development is located within one of the following:

(i) An urban infill site that is within a transit priority area.

(ii) One-half mile of a major transit stop.

(C) The site of the development is zoned to allow residential use or mixed-use with a minimum planned density of at least 20 dwelling units per acre and does not include any land zoned for low density residential use or for exclusive nonresidential use.

(D) The applicant and the development satisfy the replacement requirements specified in subdivision (c) of Section 65915.

(E) The development includes at least 20 percent of the units, excluding any additional units allowed under a floor area ratio bonus or other incentives or concessions provided pursuant to this chapter, with an affordable housing cost or affordable rent to, and occupied by, persons with a household income equal to or less than 50 percent of the area median income, as determined pursuant to Section 50093 of the Health and Safety Code, and subject to an affordability restriction for a minimum of 55 years.

(F) The development complies with the height requirements applicable to the underlying zone. A development shall not be eligible to use a floor area ratio bonus or other incentives or concessions provided pursuant to this chapter to relieve the

development from a maximum height limitation.

(2) "Floor area ratio" means the ratio of gross building area of the eligible housing development, excluding structured parking areas, proposed for the project divided by the net lot area. For purposes of this paragraph, "gross building area" means the sum of all finished areas of all floors of a building included within the outside faces of its exterior walls.

(3) "Floor area ratio bonus" means an allowance for an eligible housing development to utilize a floor area ratio over the otherwise maximum allowable density permitted under the applicable zoning ordinance and land use elements of the general plan of a city or county, calculated pursuant to paragraph (2) of subdivision (b).

(4) "Major transit stop" has the same meaning as defined in Section 21155 of the Public Resources Code.

(5) "Transit priority area" has the same meaning as defined in Section 21099 of the Public Resources Code.

(b) (1) A city council, including a charter city council or the board of supervisors of a city and county, or county board of supervisors may establish a procedure by ordinance to grant a developer of an eligible housing development, upon the request of the developer, a floor area ratio bonus, calculated as provided in paragraph (2), in lieu of a density bonus awarded on the basis of dwelling units per acre.

(2) In calculating the floor area ratio bonus pursuant to this section, the allowable gross residential floor area in square feet shall be the product of all of the following amounts:

(A) The allowable residential base density in dwelling units per acre.

(B) The site area in square feet, divided by 43,560.

(C) 2,250.

(c) The city council or county board of supervisors shall not impose any parking requirement on an eligible housing development in excess of 0.1 parking spaces per unit that is affordable to persons and families with a household income equal to or less than 120 percent of the area median income and 0.5 parking spaces per unit that is offered at market rate.

(d) A city or county that adopts a floor area ratio bonus ordinance pursuant to this section shall allow an applicant seeking to develop an eligible residential development to calculate impact fees based on square feet, instead of on a per unit basis.

(e) In the case of an eligible housing development that is zoned for mixed-use purposes, any floor area ratio requirement under a zoning ordinance or land use element of the general plan of the city or county applicable to the nonresidential portion of the eligible housing development shall continue to apply notwithstanding the award of a floor area ratio bonus in accordance with this section.

(f) An applicant for a floor area ratio bonus pursuant to this section may also submit to the city, county, or city and county a proposal for specific incentives or concessions pursuant to subdivision (d) of Section 65915.

(g) (1) This section shall not be interpreted to do either of the following:

(A) Supersede or preempt any other section within this chapter.

(B) Prohibit a city, county, or city and county from providing a floor area ratio bonus under terms that are different from those set forth in this section.

(2) The adoption of an ordinance pursuant to this section shall not be interpreted to relieve a city, county, or city and county from complying with Section 65915.

(Added by Stats. 2018, Ch. 915, Sec. 1. (AB 2372) Effective January 1, 2019.)

65917.5. (a) As used in this section, the following terms shall have the following meanings:

(1) "Child care facility" means a facility installed, operated, and maintained under this section for the nonresidential care of children as defined under applicable state licensing requirements for the facility.

(2) "Density bonus" means a floor area ratio bonus over the otherwise maximum allowable density permitted under the applicable zoning ordinance and land use elements of the general plan of a city, including a charter city, city and county, or county of:

(A) A maximum of five square feet of floor area for each one square foot of floor area contained in the child care facility for existing structures.

(B) A maximum of 10 square feet of floor area for each one square foot of floor area contained in the child care facility for new structures.

For purposes of calculating the density bonus under this section, both indoor and outdoor square footage requirements for the child care facility as set forth in applicable state child care licensing requirements shall be included in the floor area of the child care facility.

(3) "Developer" means the owner or other person, including a lessee, having the right under the applicable zoning ordinance of a city council, including a charter city council, city and county board of supervisors, or county board of supervisors to make an application for development approvals for the development or redevelopment of a commercial or industrial project.

(4) "Floor area" means as to a commercial or industrial project, the floor area as calculated under the applicable zoning ordinance of a city council, including a charter city council, city and county board of supervisors, or county board of supervisors and as to a child care facility, the total area contained within the exterior walls of the facility and all outdoor areas devoted to the use of the facility in accordance with applicable state child care licensing requirements.

(b) A city council, including a charter city council, city and county board of supervisors, or county board of supervisors may establish a procedure by ordinance to grant a developer of a commercial or industrial project, containing at least 50,000 square feet of floor area, a density bonus when that developer has set aside at least 2,000 square feet of floor area and 3,000 outdoor square feet to be used for a child care facility. The granting of a bonus shall not preclude a city council, including a charter city council, city and county board of supervisors, or county board of supervisors from imposing necessary conditions on the project or on the additional square footage. Projects constructed under this section shall conform to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other health, safety, and zoning requirements generally applicable to construction in the zone in which the property is located. A consortium with more than one developer may be permitted to achieve the threshold amount for the available density bonus with each developer's density bonus equal to the percentage participation of the developer. This facility may be located on the project site or may be located offsite as agreed upon by the developer and local agency. If the child care facility is not located on the site of the project, the local agency shall determine whether the location of the child care facility is appropriate and whether it conforms with the intent of this section. The child care facility shall be of a size to comply with all state licensing requirements in order to accommodate at least 40 children.

(c) The developer may operate the child care facility itself or may contract with a licensed child care provider to operate the facility. In all cases, the developer shall show ongoing coordination with a local child care resource and referral network or local governmental child care coordinator in order to qualify for the density bonus.

(d) If the developer uses space allocated for child care facility purposes, in accordance with subdivision (b), for purposes other than for a child care facility, an assessment based on the square footage of the project may be levied and collected by the city council, including a charter city council, city and county board of supervisors, or county board of supervisors. The assessment shall be consistent with the market value of the space. If the developer fails to have the space allocated for the child care facility within three years, from the date upon which the first temporary certificate of occupancy is granted, an assessment based on the square footage of the project may be levied and collected by the city council, including a charter city council, city and county board of supervisors, or county board of supervisors in accordance with procedures to be developed by the legislative body of the city council, including a charter city council, city and county board of supervisors, or county board of supervisors. The assessment shall be consistent with the market value of the space. A penalty levied against a consortium of developers shall be charged to each developer in an amount equal to the developer's percentage square feet participation. Funds collected pursuant to this subdivision shall be deposited by the city council, including a charter city council, city and county board of supervisors, or county board of supervisors into a special account to be used for child care services or child care facilities.

(e) Once the child care facility has been established, prior to the closure, change in use, or reduction in the physical size of, the facility, the city, city council, including a charter city council, city and county board of supervisors, or county board of supervisors shall be required to make a finding that the need for child care is no longer present, or is not present to the same degree as it was at the time the facility was established.

(f) The requirements of Chapter 5 (commencing with Section 66000) and of the amendments made to Sections 53077, 54997, and 54998 by Chapter 1002 of the Statutes of 1987 shall not apply to actions taken in accordance with this section.

(g) This section shall not apply to a voter-approved ordinance adopted by referendum or initiative.

(Amended by Stats. 2008, Ch. 179, Sec. 112. Effective January 1, 2009.)

65918. The provisions of this chapter shall apply to charter cities.

(Added by Stats. 1979, Ch. 1207.)

Design Permit Design Review Criteria

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

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

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

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

GOOD RACKS & DOCKS

Item 6A 1098 38th Ave
 Excerpt Ground Con
 Bikes + Board Parking (Cal Bike)
 Example Only

Item 6 A.



PREFERRED VS. ACCEPTABLE

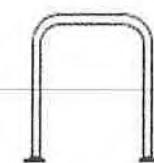
Acceptable bike racks have two points of contact and U-lock compatibility. For the best performance, bike docks also have wheel wells.



✓✓ PREFERRED



✓ ACCEPTABLE



✓ ACCEPTABLE

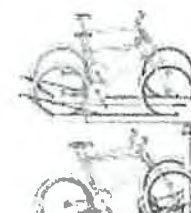


✓ ACCEPTABLE



TWO-TIERED & VERTICAL

These racks are optimal for high-density parking, often used in long-term storage when high quantity parking is important.

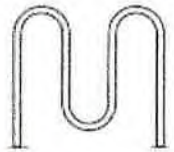


BAD RACKS

These racks have a “bad” label from their long history of damaging bikes, being low-security, and generally difficult to use.



Item 6 A.



⊘ AVOID



⊘ AVOID

9

MATERIALS & FINISHES

WHAT TO LOOK FOR

AVOID RUST & CORROSION

Hollow racks with a closed base often build moisture internally and rust from the inside-out, reducing the lifespan of the product.

Look for racks with an open-design, that not only drain moisture, but allow the interior to be coated with a protective

WHAT'S BEST FOR THE BIKE?

Metal bike racks can scrape, dent, or chip bicycle frames.

Look for products that have protective guards around lockable loops to prevent metal-to-metal contact.

If the product doesn't have the loops, thermoplastic finishes are more bicycle-friendly than



✓✓ Solid tubing



✓ Square tubing



PREVENTING THEFT

Square tubing is more difficult to cut than round, but solid materials will be the most theft-resistant.

Docks, post, and ring racks have lockable loops to lean bikes against. Look for