

**ADOPTED MINUTES**

**CAPITOLA PLANNING COMMISSION MEETING**

**THURSDAY, AUGUST 7, 2014**

**7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

Chairperson Ortiz called the Regular Meeting of the Capitola Planning Commission to order
at 7 p.m.

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Commissioners: Ron Graves, Mick Routh, and TJ Welch and Chairperson Gayle Ortiz.

Absent: Linda Smith

**2. ORAL COMMUNICATIONS**

### Additions and Deletions to Agenda

Item 5B is being continued to the September 4, 2014, meeting.

## Public Comment - None

1. Commission Comment - None
2. Staff Comments

Senior Planner Katie Cattan announced that a survey related to the upcoming Zoning Code update is available on the City website. The public is encouraged to take part.

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**3. APPROVAL OF MINUTES**

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| **A.** | **July 17, 2014, Draft Planning Commission Minutes** |

**A motion to approve the July 17, 2014, meeting minutes was made by Commissioner Graves and seconded by Commissioner Routh.**

**The motion carried by the following vote: Aye: Commissioners Graves, Routh, and Welch and Chairperson Ortiz. No: None. Abstain: None.**

**4. CONSENT CALENDAR – No Items**

**5.** **PUBLIC HEARINGS**

 **A. 127 Monterey Ave #14-056 APN: 035-244-03**

Conditional Use Permit and Design Permit for the remodel of a Historic Resource located in the CV (Central Village) zoning district. This project is located in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Craig French, applied: 04/22/14

Representative: Dennis Diego AIA (Architect)

Senior Planner Cattan presented the staff report and history of the structure.

Chairperson Ortiz opened the public hearing. Mimi French, applicant, was available to answer questions. Commissioner Routh asked if the family was willing to retain the plaque indicating that the building was the first City Hall and was told it would remain.

The public hearing was closed.

Commissioner Routh noted that unlike the recent application of a non-contributing structure where the impact on the historic district’s integrity was a concern, this application returns more of the building’s and district’s historic character.

Chairperson Ortiz praised both the staff report and plans for their clarity and thoroughness in dealing with a historic resource, and suggested they could be used as examples for future applications.

**A motion to approve project application #14-056 for a Conditional Use Permit and Design Permit with the following conditions and findings was made by Commissioner Routh and seconded by Commissioner Welch:**

**CONDITIONS**

1. The project approval consists of rehabilitation of an existing historic resource located at 127 Monterey Avenue. No addition to the existing structure is proposed. Modifications to the windows, doors, and decorative features are included in the proposal. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 7, 2014, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
6. All exterior materials shall be installed according to the approved set of plans. The replacement window on the south elevations shall be a true divided light wood window to replicate historic location, size, materials, and muntin pattern of historic window evidenced in photo. Exterior materials include: wood trim, wood shingles, wood siding, wood windows, and brick wainscot.
7. Prior to issuance of building permit, all Planning fees associated with permit #­14-056 shall be paid in full.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
9. 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.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. 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.
13. 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
14. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
15. 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.
16. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
17. 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.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

**FINDINGS**

1. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

 Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the rehabilitation of the historic structure. The project secures the purpose statement of the CV (Central Village) Zoning Districts and carries out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

1. **The application will maintain the character and integrity of the neighborhood.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the rehabilitation of the historic structure. The proposed modifications will maintain the character and integrity of the neighborhood and the Lawn Way/Six Sisters Historic District. The proposed design will enhance the home’s architectural appearance and historic integrity.

1. **This project is categorically exempt under Section 15331 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15331 of the CEQA Guidelines exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. This project involves a restoration and remodel of an existing historic resource located in the CV (central village) zoning district. The project conforms with the Secretary of the Interior’s Standards for Rehabilitation. No adverse environmental impacts were discovered during review of the proposed project.

**The motion carried by the following vote: Aye: Commissioners Graves, Routh, and Welch and Chairperson Ortiz. No: None. Abstain: None.**

 **B.**  **111 Central Ave #14-099 APN: 036-112-08**

Design Permit for a second story addition and Variance for the required parking at the existing Single Family Residence in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Anh Do

Representative: Devlin Jones, filed 6/24/14

This item was continued to the September 4, 2014, meeting.

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**6. DIRECTOR’S REPORT**

1. **Standard Conditions for Commercial Uses**

Senior Planner Cattan presented the draft conditions intended to clarify the permitting process for commercial applications. She noted this document is a work in progress and will be part of a manual including all types of conditions and situations.

In reference to items 8 and 19 that deal with landscaping, Chairperson Ortiz noted that given the ongoing water situation, she would like to see encouragement or requirement of drought tolerant landscaping. There was general agreement and interest among commissioners to advise applicants early in the process, but also discussion about the right of property owners to prioritize their own water use for landscaping preferences. Commissioners asked for information from the water districts to see what guidance applicants should be given.

Commissioner Graves suggested that in item 10, “approval” by various agencies be replaced with “agreement to serve.” Director Grunow noted that in the case of the fire department, it does a separate review and approval or projects.

In item 9, Commissioner Graves expressed concern about acronyms that are difficult for the public to understand. He also felt in item 34 that “appropriate authority” is too vague. Staff noted that specific approval authority varies with the future application.

Commissioner Routh asked about guidelines for outdoor lighting. Director Grunow said a standard has not yet been developed, but suggested general requirements for downward direction and light to be kept on site.

Commissioner Welch asked in item 10 if requiring letters prior to Planning Commission review would save some applicants time and expense should there be problems with those jurisdictions. He also asked if Zone 5 should be included and suggested the applicant should sign indicating understanding of conditions.

Chairperson Ortiz asked if a condition should address indoor seating for restaurants. Commissioners also discussed whether instead of item 23, there should be a specific condition stating the required number of parking spaces for the required use.

Commissioners discussed which conditions should have language warning about review and possible loss of use for violations. Commissioner Welch suggested that item 29 be the final condition in bold type with language “including but not limited to” the most frequently violated areas (signs, outdoor merchandise, etc.).

1. **Community Development Department Work Plan**

Director Grunow presented his report and gave an overview of current and anticipated projects, including updated permit figures. He warned that the Local Coastal Program approval by the Coastal Commission could lag behind adoption of the new Zoning Ordinance and result in the City having two ordinances in effect at the same time, one within the coastal zone and one outside it.

Noting the Planning Commission’s continuing concern about code violation enforcement, Commissioner Routh asked if the Police Department’s community service officers could be more involved in those efforts. He also expressed hope that continuity in staff will allow the work plan goals to be achieved.

Chairperson Ortiz asked if ADA certification of a staff member is worthwhile. Director Grunow noted that most jurisdictions interpret state law as requiring it, although that is a challenge for smaller cities. The plan is to train an existing employee.

Chairperson Ortiz also asked what the commission can do to support code enforcement. Commissioner Graves noted it can be made an issue in upcoming election of City Council members.

**7. COMMISSION COMMUNICATIONS**

Commissioner Welch said the City needs to lead by example with attractive drought tolerant landscaping if we expect applicants to do the same.

**8. ADJOURNMENT**

Commissioner Ortiz adjourned the meeting at 8:13 p.m. to the regular meeting of the Planning Commission to be held on Thursday, September 4, 2014, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on September 4, 2014.

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Linda Fridy, Minute Clerk