

CALIFORNIA COASTAL COMMISSION

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LCP-3-CAP-22-0036-1 PART A (OBJECTIVE DESIGN STANDARDS) OCTOBER 14, 2022 HEARING EXHIBITS

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Exhibit 1: Proposed Amendment Text

RESOLUTION NO. 4263

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AUTHORIZING SUBMITTAL TO THE CALIFORNIA COASTAL COMMISSION FOR THE CERTIFICATION OF AN AMENDMENT TO THE LOCAL COASTAL PROGRAM ADDING MUNICIPAL CODE CHAPTER 17.82 TO ESTABLISH OBJECTIVE STANDARDS FOR MULTIFAMILY DWELLINGS AND MIXED-USE RESIDENTIAL DEVELOPMENT, AMENDING SECTION 17.16 RESIDENTIAL ZONING DISTRICTS, SECTION 17.20 MIXED USE ZONING DISTRICTS, AND 17.24 COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS TO REFERENCE CHAPTER 17.82 OBJECTIVE STANDARDS FOR MULTIFAMILY DWELLINGS AND MIXED-USE RESIDENTIAL DEVELOPMENT

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, the City Council adopted the General Plan Update on June 26, 2014; and

WHEREAS, the Local Coastal Program Land Use Plan is a comprehensive long-term plan for land use and physical development within the City's coastal zone and includes the Coastal Land Use Plan Map; and

WHEREAS, SB-35 (Chapter 366, Statutes of 2017) enacted section 65913.4 to the Government Code, effective January 1, 2018; and

WHEREAS, Government Code section 65913.4 requires cities and counties to approve qualifying multifamily projects through a streamlined ministerial process if a project conforms to applicable objective standards and meets other requirements;

WHEREAS, The Housing Accountability Act (HAA), Government Code section 65589.5, limits the ability of cities and counties to deny or reduce the density of housing development projects that are consistent with objective standards;

WHEREAS, SB-330 (Chapter 654, Statutes of 2019) enacted Government Code section 66300 which prohibits cities and counties from establishing design standards that are not objective;

WHEREAS, the HAA and SB-330 apply within the coastal zone, but do not alter or lessen the effect or application of Coastal Act resource protection policies;

WHEREAS, Capitola's Zoning Code currently contains limited objective design standards for multifamily residential development;

WHEREAS, Capitola currently relies on subjective design review criteria in Zoning Code Section 17.120.070 to ensure that multifamily residential development exhibits high-quality design that enhances Capitola's unique identity and sense of place;

WHEREAS, for a project requesting streamlined review under SB-35, the City cannot enforce these requirements;

WHEREAS, under the Housing Accountability Act and SB-330, the City cannot require compliance with these standards for any multifamily or mixed-use residential project in a manner that disallows or reduces the density of the proposed project;

WHEREAS, in 2021 Capitola was awarded an SB-2 grant from the State of California established to fund city planning efforts to streamline housing approvals and accelerate housing production;

WHEREAS, Capitola elected to use part of this SB-2 grant to prepare new objective standards for multifamily and mixed-use residential development;

WHEREAS, the Planning Commission held a study session on February 3, 2021 and the City Council held a study session on April 8, 2021 to provide feedback on the project goals and

approach;

WHEREAS, a stakeholder group including architects, developers, and residents provided input on new objective standards at meetings on July 21, 2021 and February 16, 2022;

WHEREAS, on March 31, 2022, the Planning Commission provided feedback on draft objective standards.

WHEREAS, on April 21, 2022, the Planning Commission recommended to the City Council adoption of the objective standards.

WHEREAS, the draft ordinance was then circulated for a 60-day public review period on April 14, 2022; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 31, 2022, and April 21, 2022, at which time it reviewed the proposed amendments, considered all public comments on the revisions and related CEQA exemption, and provided input on the draft ordinance, and a recommendation to approve the proposed ordinance; and

WHEREAS, the Capitola City Council conducted duly noticed public hearings on May 12, 2022, at which the City Council introduced and performed a first reading of the added and revised municipal code sections. On May 26, 2022, the City Council adopted the ordinance, which added Municipal Code Chapter 17.82 to establish objective standards for multifamily dwellings and mixed-use residential development, amending section 17.16 residential zoning districts, section 17.20 Mixed use zoning districts, and 17.24 Commercial and Industrial zoning districts to reference Chapter 17.82 Objective Standards for Multifamily Dwellings and Mixed-Use residential development; and

WHEREAS, the City Council determined that the amendments are consistent with the General Plan and that the revisions would be internally consistent with all other provisions of the Municipal Code.

WHEREAS, the amendments would become a component of Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

WHEREAS, following the City Council's adoption, Capitola staff submitted the Zoning Code update to the Californian Coastal Commission staff for preliminary review in preparation for Local Coastal Plan (LCP) certification; and

WHEREAS, the Local Coastal Program Implementation Plan establishes specific land use and development regulations to implement the Local Coastal Program Land Use Plan, and Chapter 16 (Subdivision), Chapter 17 (Zoning) and the Zoning Map are part of Capitola's Local Coastal Program Implementation Plan; and


WHEREAS, the City provided Public Notice, as required under Coastal Act 30514 et seq., for Certification of the LCP Implementation Plan and Corresponding Maps.


NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Capitola, that this Resolution declares and reflects the City's intent to amend the LCP Implementation Plan as it pertains to Chapter 17 (Zoning), as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager or his designee is directed to submit the said Coastal Commission LCP Amendments to the California Coastal Commission for its review and certification. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the City of Capitola.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 12th day of May, 2022, by the following vote:

AYES: Council Members Bertrand, Brown, Keiser, and Mayor Storey
NOES: None
ABSENT: Council Member Brooks
ABSTAIN: None

DocuSigned by:

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Sam Storey, Mayor

ATTEST: 
B3B746FAACD54BA
Chloé Woodmansee, City Clerk

Chapter 17.16 - RESIDENTIAL ZONING DISTRICTS

Sections:

- 17.16.010 Purpose of the Residential Zoning Districts
- 17.16.020 Land Use Regulations
- 17.16.030 Development Standards

17.16.010 Purpose of the Residential Zoning Districts

A. General. The purpose of residential zoning districts is to support attractive, safe, and friendly neighborhoods consistent with Capitola's intimate small-town feel and coastal village charm. Development within the residential zoning districts will feature high quality design that enhances the visual character of the community. The mass, scale, and design of new homes shall be compatible with existing homes in neighborhoods and carefully designed to minimize impacts to existing homes. Residential zoning districts contain a range of housing types and community facilities to support diverse and complete neighborhoods with a high quality of life for residents.

B. Specific.

1. **Residential Single-Family (R-1) Zoning District.** The purpose of the R-1 zoning district is to protect and enhance the unique qualities of individual neighborhoods in Capitola. The R-1 zoning district allows for variation in development standards based on the existing development patterns within these neighborhoods. New development will respect the existing scale, density, and character of neighborhoods to strengthen Capitola's unique sense of place.
2. **Residential Multifamily (RM) Zoning District.** The purpose of the RM zoning district is to accommodate a range of housing types to serve all Capitola residents. The RM zoning districts allows single-family and multifamily housing at higher densities to maintain and increase the supply of affordable housing choices. Housing in the RM zoning districts will be carefully designed to enhance Capitola's unique identity and to minimize impacts on adjacent land uses and structures. The RM zone is divided into three subzones (RM-L, RM-M, and RM-H) allowing for a range of permitted residential densities.
3. **Mobile Home Park (MH) Zoning District.** The MH zone provides areas for exclusive development of mobile home parks. Mobile home parks provide a valuable source of affordable housing serving Capitola's lower-income and senior residents.

17.16.020 Land Use Regulations

A. Permitted Land Uses. Table 17.16-1 identifies land uses permitted in the residential zoning districts.

TABLE 17.16-1: PERMITTED LAND USES IN THE RESIDENTIAL ZONING DISTRICTS

Key P Permitted Use A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed	Zoning District			Additional Regulations
	R-1	RM	MH	
Residential Uses				
Duplex Homes	-	P	-	
Elderly and Long Term Care	-	C	-	
Group Housing	-	P	-	
Mobile Home Parks	-	C	P [1]	Chapter 17.100
Multifamily Dwellings	-	P	-	
Residential Care Facilities, Small	P	P	C [2]	
Residential Care Facilities, Large	C	C	C [2]	Section 17.96.080
Accessory Dwelling Units	A/C	A/C [4]	-	Chapter 17.74
Single-Family Dwellings	P	P	C [2]	
Public and Quasi-Public Uses				
Community Assembly	C	C	C	
Day Care Centers	C	C	C	
Home Day Care, Large	M	M	M	Section 17.96.070
Home Day Care, Small	P	P	P	
Parks and Recreational Facilities	-	C	C	
Public Pathways and Coastal Accessways	C	C	C	
Schools, Public or Private	-	C	C	
Commercial Uses				
Bed and Breakfast	C	C	-	
Vacation Rentals	See Section 17.40.030			
Transportation, Communication, and Utility Uses				
Utilities, Major	C	C	C	
Utilities, Minor	P	P	P	
Wireless Communications Facilities	See Chapter 17.104			
Other Uses				
Accessory Uses and Structure	P [3]	P [3]	P[3]	Chapter 17.52
Home Occupation	A	A	A	Section 17.96.040
Temporary Uses and Structures	M	M	-	Section 17.96.180
Urban Agriculture				
Home Gardens	P	P	P	
Community Gardens	M	M	M	
Urban Farms	C	C	C	

Notes:

[1] May include offices incidental and necessary to conduct a mobile home park use.

[2] Permitted on the mobile home park parcel or on a separate parcel of no less than 5,000 square feet.

[3] An accessory structure that exceed the development standards of Chapter 17.52 requires a Conditional Use Permit.

[4] Permitted only when there is one single family dwelling on the parcel.

B. Additional Permits. In addition to permits identified in Table 17.16-1, development projects in the residential zoning districts may also require a Design Permit pursuant to Chapter 17.120 (Design Permits). Modifications to a historic resource may require a Historic Alteration Permit pursuant to Chapter 17.84 (Historic Preservation). Development in the coastal zone may require a Coastal Development Permit pursuant to Chapter 17.44 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

17.16.030 Development Standards

A. General Standards - Single-Family and Multifamily Zoning Districts. Table 17.16-2 identifies development standards that apply in the R-1 and RM zoning districts.

TABLE 17.16-2: DEVELOPMENT STANDARDS IN THE R-1 AND RM ZONING DISTRICTS

	R-1	RM	Additional Standards
Site Requirements			
Parcel Area, Minimum [1]	5,000 sq. ft.	N/A	
Parcel Width, Minimum [1]	30 ft.	N/A	
Parcel Depth, Minimum [1]	80 ft.	N/A	
Floor Area Ratio, Maximum	See Section 17.16.030.B.1	N/A	Section 17.16.030.B Section 17.48.040
Building Coverage, Maximum	N/A	40%	
Open Space	N/A	Section 17.030.C.2	
Parcel Area Per Unit, Minimum	N/A	RM-L: 4,400 sq. ft. RM-M: 2,900 sq. ft. RM-H: 2,200 sq. ft.	
Parking and Loading	See Chapter 17.76		
Structure Requirements			
Setbacks, Minimum			Section 17.48.030.B.2-6
Front	Ground floor: 15 ft. Garage: 20 ft. Second story: 20 ft.	Main structure: 15 ft. Garage: 20 ft.	Section 17.16.030.B.2 Section 17.16.030.B.5 Garage Setback: Section 17.16.030.B.4
Rear	20% of parcel depth; 25 ft. max.	15% of parcel depth	Section 17.16.030.B.5

	R-1	RM	Additional Standards
Interior Side	Ground floor: 10% of parcel width; 3 ft. min.; 7 ft. max. Second story: 15% of parcel width	10% of parcel width	Section 17.16.030.B.5&6
Street Side, Corner Lots	10 ft.	10 ft.	Section 17.16.030.B.5
Height, Maximum	25 ft.	RM-L: 30 ft. RM-M: 30 ft. RM-H: 35 ft.	Section 17.16.030.B.7&8 Section 17.48.020
Accessory Structures	See Chapter 17.52		

Notes:

[1] Parcel area, width, and depth requirements apply only to the creation of new parcels. These requirements do not apply to legally created parcels existing as of [effective date of updated Zoning Code]. See Capitola Municipal Code Title 16 (Subdivisions) for requirements that apply to lot line adjustments to existing parcels that do not comply with the parcel area, width, and depth requirements in this table.

B. Additional Standards in the R-1 Zoning District. The following additional standards apply in the R-1 zoning district.

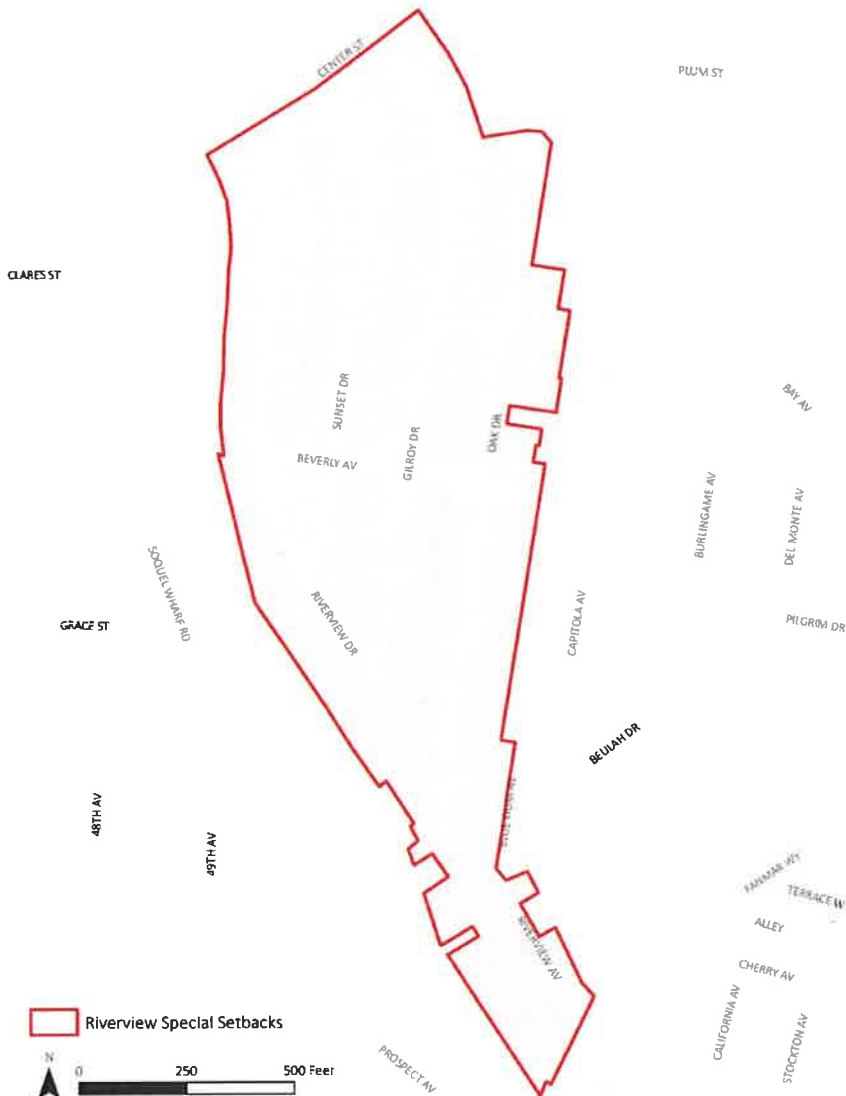
1. **Floor Area Ratio.** Table 17.16-3 identifies the maximum permitted floor area ratio (FAR) in the R-1 zoning district. See Section 17.48.040.B for floor area calculations.

TABLE 17.16-3: MAXIMUM FLOOR AREA RATIO IN THE R-1 ZONING DISTRICT

Lot Size	Maximum FAR
2,650 sq. ft. or less	0.58
2,651 to 3,250 sq. ft.	0.57
3,251 to 3,500 sq. ft.	0.56
3,501 to 3,750 sq. ft.	0.55
3,751 to 4,000 sq. ft.	0.54
4,001 to 4,250 sq. ft.	0.53
4,251 to 4,500 sq. ft.	0.52
4,501 to 4,750 sq. ft.	0.51
4,751 to 5,000 sq. ft.	0.50
5,001 to 6,000 sq. ft.	0.49
More than 6,000 sq. ft.	0.48

2. **Front Setbacks in Riverview Terrace.** Within the areas shown in Figure 17.16-1, the Planning Commission may approve a reduced front setback to reflect existing front setbacks on neighboring properties within 100 feet on the same side of the street. The reduced front setback shall in all cases be no less than 10 feet.

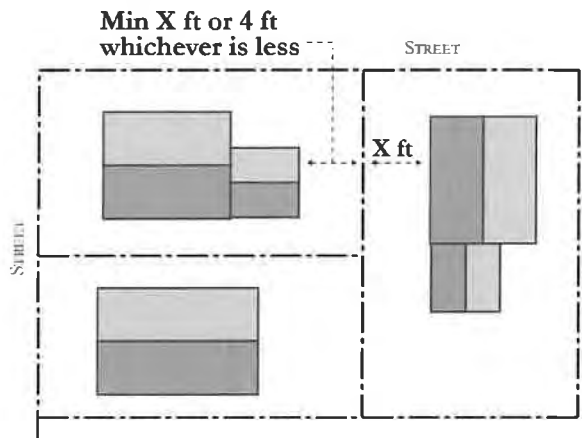
FIGURE 17.16-1: RIVERVIEW TERRACE



3. **Wharf Road Reduced Setback.** For properties on the east side of Wharf Road from 1820 Wharf Road to 1930 Wharf Road, the Planning Commission may approve a reduced front setback to reflect existing front setbacks on neighboring properties within 100 feet on the same side of the street.
4. **Garage Setbacks.**
 - a. Attached garages shall be setback a minimum of 5 feet behind the front or street side building wall of the primary structure. The Planning Commission may reduce this minimum setback to 3 feet in sidewalk exempt areas.
 - b. Required setbacks for detached garages are identified in Chapter 17.52 (Accessory Structures).
5. **Corner Lots.**

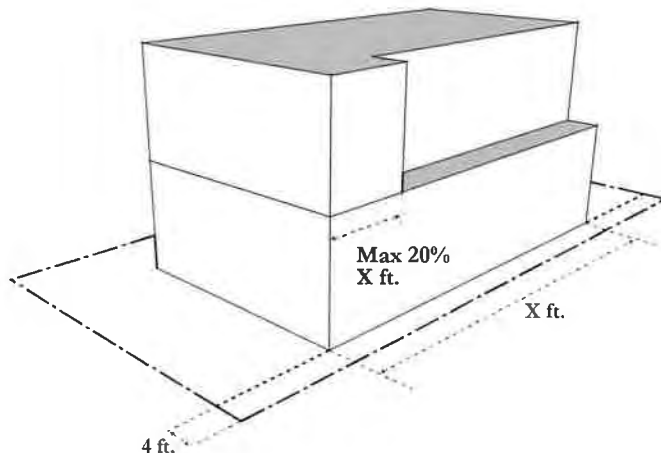
- a. The minimum rear setback for reverse corner lots shall be the minimum interior side yard of the adjacent property, but no less than 4 feet. See Figure 17.16-2.
- b. On a corner lot, the front line of the lot is ordinarily construed as the least dimension of the parcel facing the street. The Community Development Director has the discretion to determine the location of the front yard based on existing conditions and functions.

FIGURE 17.16-2: REVERSE CORNER LOT REAR SETBACK



6. **Second Story Setback Exceptions.** Second story additions must comply with increased setback requirements in Table 17.16-2, except in the following cases:
 - a. For lots 30 feet wide or less, the minimum interior side setback for a second story is the same as the ground floor.
 - b. Up to 20 percent of the length of an upper story wall may be constructed at the same setback as the first-floor wall if the first-floor wall is at least 4 feet from the side property line. See Figure 17.16-3.

FIGURE 17.16-3: SECOND STORY SETBACK EXCEPTION



7. **Height Exceptions.** A maximum height of up to 27 feet in the R-1 zoning district is allowed in the following circumstances:
 - a. Additions to historic structures that are designed to match the roof pitch of the historic structure within the area of new addition.
 - b. Parcels greater than 6,000 sf in size.
 - c. Parcels with a width 60 feet or more.
 - d. Parcels with an average slope of 25 percent or greater.
 - e. When the plate height of structure does not exceed 22 feet.
8. **Landscaping.** See Section 17.72.050.A for residential landscape requirements.
9. **Mini-Bar/Convenience Areas.**
 - a. A single-family home may contain one mini-bar/convenience area in addition to a kitchen, subject to the following standards:
 - (1) Fixtures shall be limited to a small refrigerator, a microwave oven, and a small sink with a drain size less than one and one-half inches.
 - (2) No gas line or 220-volt electric service is permitted within the area.
 - (3) Only one such area is permitted within a property in addition to the kitchen.
 - (4) The mini-bar/convenience area may be located within the home or outside of the home as part of an outdoor kitchen. If located within the home, internal access to the area shall be maintained within the dwelling.
 - b. The requirements in paragraph (a) above shall not limit the establishment of an accessory dwelling unit in conformance with Chapter 17.74 (Accessory Dwelling Units).

C. Additional Standards for RM Zoning Districts. The following additional standards apply in the RM zoning district.

1. **Single-Family Dwellings.** Single-family dwellings in RM zoning districts shall comply with the development standards that apply in the R-1 zoning district.
2. **Open Space.** Common and private open space in the RM zoning district shall be provided as shown in Table 17.16-4 and Figure 17.16-4.

TABLE 17.16-4: USABLE OPEN SPACE IN RM ZONING DISTRICT

Common Open Space [1]	
Minimum area (percent of site area)	15% [2] [3]
Minimum horizontal dimension	15 ft.
Private Open Space [4]	
Minimum percentage of units with private open space	50%
Minimum area (for individual unit)	48 sq. ft.
Minimum horizontal dimension	4 ft.

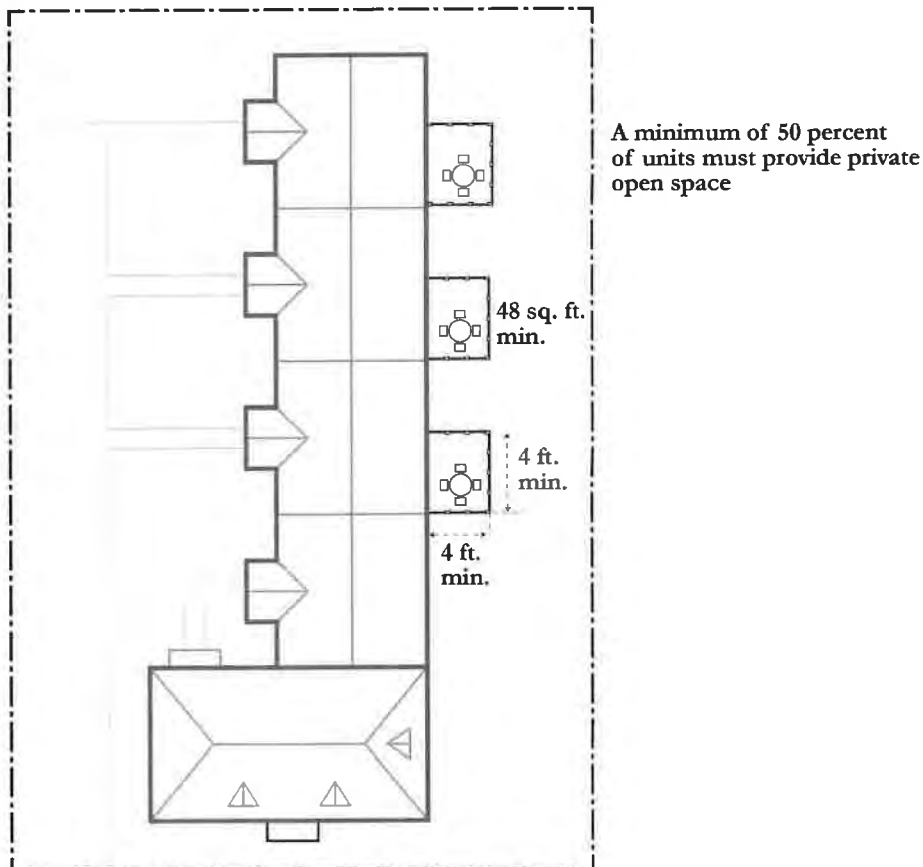
Notes:

[1] Common open space shall be fully landscaped and accessible to all residents.

[2] Roof terraces and roof gardens may provide up to 50 percent of the required common open space area if the Planning Commission finds that roof terraces and roof gardens provide quality open space for residents and minimize noise, privacy and other potential impacts on neighboring properties.

[3] The Planning Commission may allow reduced common open space to a minimum of 10 percent for projects less than one acre in size or for projects that provide additional private open space equal to or greater than the amount of reduced common open space.

[4] Private open space may include screened terraces, decks, balconies, and other similar areas

FIGURE 17.16-4: PRIVATE OPEN SPACE

3. **Landscaping.** See Section 17.72.050.A for residential landscape requirements.
4. **Objective Standards for Multifamily Dwellings.** New multifamily dwellings in the RM zoning district must comply with Chapter 17.82 (Objective Standards for Multifamily and Mixed-use Residential Development).

D. Standards for the MH Zoning District. Table 17.16-5 identifies development standards that apply in the Mobile Home (MH) zoning district.

TABLE 17.16-5 MH ZONING DISTRICT DEVELOPMENT STANDARDS

		Additional Standards
Site Area [1]	5 acres [2]	
Residential Density, Maximum	20 units per acre	
Setbacks [3]		17.48.030
Front	15 ft.	
Interior Side	10 ft.	
Exterior Side	10 ft.	
Rear	20 ft.	

Notes:

[1] Applies to overall mobile home park area, not sites for individual units.

[2] For vacant property rezoned to MH, the minimum lot area is 5 acres. For existing mobile home parks, the minimum parcel size is 5 acres or the existing parcel size, whichever is less.

[3] Applies only to the perimeter of the mobile home park, not to sites and structures within the interior of the park.

Chapter 17.20 - MIXED USE ZONING DISTRICTS

Sections:

- 17.20.010 Purpose of the Mixed Use Zoning Districts
- 17.20.020 Land Use Regulations
- 17.20.030 Development Standards – Mixed Use Village Zoning District
- 17.20.040 Development Standards – Mixed Use Neighborhood Zoning District

17.20.010 Purpose of the Mixed Use Zoning Districts

A. General. The purpose of the mixed use zoning districts is to provide for active and inviting destinations in Capitola with a diversity of residential and commercial land uses. In the mixed use zoning districts, development shall support a lively, pedestrian-friendly public realm with inviting storefronts facing the sidewalk. A diversity of local and independent businesses, recreational amenities, and public spaces balance the needs of residents and visitors. New development shall respect Capitola's history and reflect its unique coastal village character. The diversity of land uses, pedestrian-friendly development, and general level of activity in the mixed use zoning districts shall support a range of transportation choices, including walking, biking, and transit.

B. Specific.

1. **Mixed Use, Village (MU-V) Zoning District.** The purpose of the MU-V zoning district is to preserve and enhance Capitola Village as the heart of the community. A diversity of commercial, residential, and recreational uses in the MU-V zoning district serve both visitors and residents. Land uses and development shall enhance the vitality of the Village while maintaining a high quality of life for residents. A fine-grain mix of retail, restaurants, services, and recreational amenities in the MU-V zoning district provides a walkable environment, caters to all ages, and supports year-round activity during the day and night.
2. **Mixed Use, Neighborhood (MU-N) Zoning District.** The purpose of MU-N zoning district is to allow for neighborhood-serving mixed use areas that enhance residents' quality of life. The MU-N zoning district contain an eclectic mix of retail, restaurants, and services for residents and visitors. A range of housing types close to non-residential uses increases housing choices and supports a walkable community. Development in the MU-N zoning district will be carefully designed to complement its surroundings and minimize impacts on neighboring properties. Land uses will strengthen connections between destinations in Capitola, including the Village, Bay Avenue, and 41st Avenue.

17.20.020 Land Use Regulations

A. Permitted Land Uses. Table 17.20-1 identifies land uses permitted in the mixed use

zoning districts.

TABLE 17.20-1: PERMITTED LAND USES IN THE MIXED USE ZONING DISTRICTS

Key P Permitted Use A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed	Zoning District		
	MU-V	MU-N	Additional Regulations
Residential Uses			Section 17.20.020.B, C & E
Duplex Homes	-/P [1]	P	
Elderly and Long Term Care	C [2] [6]	C	
Group Housing	C [2] [6]	C	
Multifamily Dwellings	-/P [1] [6]	C	
Residential Care Facilities, Small and Large	See Section 17.20.020.F		
Residential Care Facilities, Large	C [2] [6]	C	Section 17.96.080
Residential Mixed Use	See Section 17.20.020.D & E [6]	C	
Accessory Dwelling Units	-	A/C	Chapter 17.74
Single-Family Dwellings	-/P [1]	P	
Public and Quasi-Public Uses			
Community Assembly	C	C	
Cultural Institutions	C	C	
Day Care Centers	M	M	
Government Offices	P/C [4]	M [5]	
Home Day Care, Large	M	M	Section 17.96.070
Home Day Care, Small	P	P	
Medical Offices and Clinics	-	M [5]	
Parks and Recreational Facilities	C	C	
Public Pathways and Coastal Accessways	C	C	
Public Safety Facilities	C	C	
Schools, Public or Private	-	C	
Commercial Uses			Section 17.20.020.E
Alcoholic Beverage Sales	C	C	
Banks and Financial Institutions	C	P/C [3] [5]	
Commercial Entertainment and Recreation	C	C	
Eating and Drinking Places			
Bars and Lounges	C	C	
Restaurants and Cafes	C	C	
Take-Out Food and Beverage	M	M	

Key P Permitted Use A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required – Use not allowed	Zoning District		
	MU-V	MU-N	Additional Regulations
Gas and Service Stations	-	-	
Lodging			
Bed and Breakfast	C	C	
Hotels and Motels	C	C	
Personal Services	P	P/C [3] [5]	
Professional Offices	P/C [4]	M [5]	
Retail	P	P/C [3] [5]	
Vacation Rental	See Chapter 17.40.030		
Transportation, Communication, and Utility Uses			
Utilities, Major	C	C	
Utilities, Minor	P	P	
Wireless Communications Facilities	See Chapter 17.104		
Other Uses			
Accessory Uses and Structures	See Chapter 17.52		Chapter 17.52
Home Occupations	A	A	Section 17.96.040
Permanent Outdoor Display (Accessory Use)	-	C	Section 17.96.100
Temporary Uses and Structures	See Section 17.96.180		
Urban Agriculture			
Home Gardens	P	P	
Community Gardens	M	M	
Urban Farms	C	C	

Notes:

[1] Allowed only in the Village Residential (-VR) overlay zone. Exclusively residential uses are not allowed outside of the -VR overlay zone.

[2] Allowed only on the second or third story of a mixed-use development outside of the -VR overlay zone. Allowed on any story in the -VR overlay zone.

[3] Larger than 3,000 sq. ft. requires a Conditional Use Permit.

[4] Second floor uses permitted by-right. Ground floor uses require a Conditional Use Permit. Prohibited third floor and above.

[5] Conditional Use Permit required for parcels fronting Capitola Road.

[6] Residential uses are prohibited on the former Capitola Theater Site (APNs 035-262-04, 035-262-02, 035-262-11, and 035-261-10).

B. Village Residential Overlay. Pursuant to Section 17.40.040 (Village Residential (-VR) Overlay Zone), only residential uses are permitted in the -VR overlay zone. The Village Residential (-VR) overlay zone applies to the following areas within the MU-V zoning district as shown on the Zoning Map: Six Sisters, Venetian Court, Lawn Way, and portions of Wharf Road, Riverview Avenue, Cliff Drive, Cherry Avenue, San Jose Avenue, Park Place, and California Avenue.

C. Ground Floor Conversions to Residential. Existing ground floor commercial uses in

the MU-V zoning district may not be converted to a residential use unless located in the Village Residential (-VR) overlay zone.

D. Residential Mixed Use in the MU-V Zoning District.

1. If a proposed residential mixed use project in the MU-V zoning district contains any use that requires a Conditional Use Permit, the entire project, including the residential use, requires a Conditional Use Permit.
2. If a proposed residential use replaces an existing upper floor commercial use, the residential use is allowed by-right.

E. Third-Story Uses in the MU-V Zoning District. Permitted land uses within the third-story of an existing or new building in the MU-V zoning district are limited to residential and hotel uses only.

F. Residential Care Facilities. Residential care facilities shall be allowed with the permits required for dwellings of the same type within the applicable zoning district. For example, a residential care facility in a detached single-family home requires the same permits and is subject to the same use regulations as a detached single-family home.

17.20.030 Development Standards – Mixed Use Village Zoning District

A. General. Table 17.20-2 identifies development standards that apply in the Mixed Use Village (MU-V) zoning district.

TABLE 17.20-2: DEVELOPMENT STANDARDS IN THE MIXED USE VILLAGE (MU-V) ZONING DISTRICTS

	MU-V	Additional Standards
Site Requirements		
Floor Area Ratio, Maximum	2.0	Section 17.20.030.C Chapter 17.88 Section 17.48.040
Parking and Loading	See Chapter 17.76	
Structure Requirements		
Setbacks		
Front	Min: 0 ft. Max: 15 ft.	Section 17.20.030.D
Rear	None [1]	
Interior Side	None	
Street Side	Min: 0 ft. Max: 15 ft.	

Height, Maximum	27 ft.	Section 17.20.030.B & C Section 17.48.020 Chapter 17.88
Accessory Structures	See Chapter 17.52	

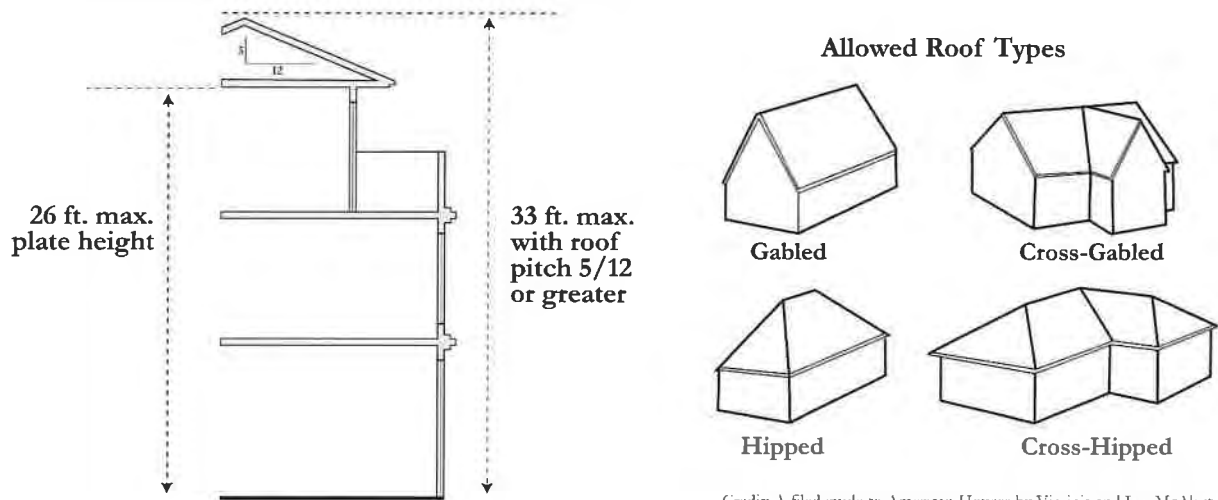
Notes:

[1] 20% of lot depth for residential use on parcel.

B. Height Exceptions. The following exceptions are permitted to the maximum permitted height in the MU-V zoning district as shown in Table 17.20-2:

- Up to 33 feet for gabled or hipped roof with a minimum 5:12 roof pitch and a maximum plate height of 26 feet. There shall be no breaks in the roof slope for doors and decks. Exterior doors and decks above the 26-foot plate height are prohibited. See Figure 17.20-1.
- The 33 feet includes the maximum height of projections for non-habitable decorative features and structures identified in Section 17.48.020.B (Height Exceptions).

FIGURE 17.20-1: INCREASED HEIGHT IN THE MU-V ZONING DISTRICT

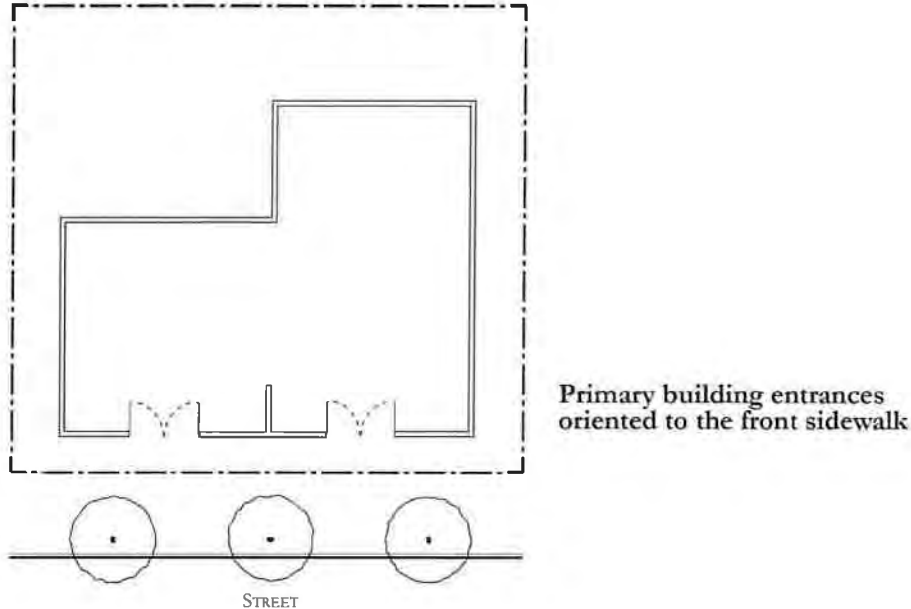


Credit: A field guide to American Houses by Virginia and Lee McAlester

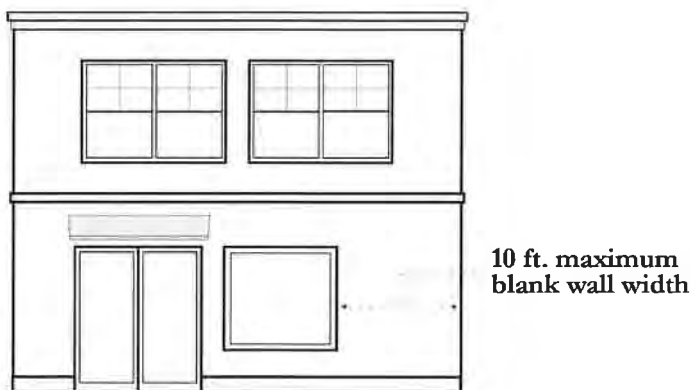
C. Increased Floor Area and Height for the Capitola Theater Site. As provided in Chapter 17.88 (Incentives for Community Benefits), the City Council may approve exceptions to height and floor area ratio (FAR) limits shown in Table 17.20-2 for the Capitola Theater site (APNs 035-262-04, 035-262-02, 035-262-11, and 035-261-10). These exceptions are intended to facilitate the development of a new hotel in the Capitola Village consistent with the General Plan/Land Use Plan.

D. Setbacks in the MU-V Zoning District. The following setback standards apply to all new structures in the MU-V zoning district.

- Building should be constructed within 15 feet of the front property line for a minimum of 50 percent of the parcel's linear street frontage. See Figure 17.20-2. The Planning Commission may modify or waive this requirement upon finding that:
 - Compliance with the build-to width requirement would render the proposed

FIGURE 17.20-3: BUILDING ORIENTATION

2. **Blank Walls.** The maximum length of an unarticulated/blank building wall fronting a public street shall be 10 feet. See Figure 17.20-4. Building articulation may be provided by:
 - a. Doors, windows, and other building openings;
 - b. Building projections or recesses, doorway and window trim, and other details that provide architectural articulation and design interest;
 - c. Varying wall planes, heights or contrasting materials; and
 - d. Awnings, canopies or arcades to reinforce the pedestrian scale and provide shade and cover from the elements.

FIGURE 17.20-4: BLANK WALL LIMITATIONS

3. **Storefront Width.** The maximum building/storefront width shall be 25 feet. See Figure 17.20-5. Larger buildings shall be broken down into a pedestrian-scale rhythm with differentiated storefront design every 25 feet.

FIGURE 17.20-5: STOREFRONT WIDTH



4. **Ground Floor Building Transparency.**
 - a. The ground floor street-facing building walls of non-residential uses shall provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage located between 2½ and 7 feet above the sidewalk. See Figure 17.20-6. Windows or doors area shall be transparent to allow views into the building.

FIGURE 17.20-6: STOREFRONT TRANSPARENCY

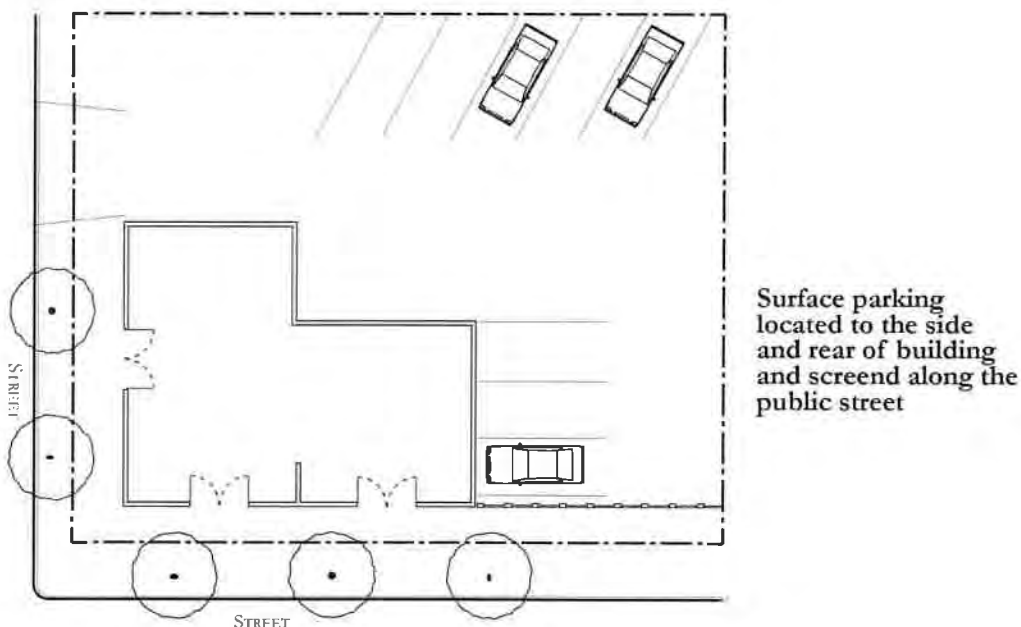


- b. Exceptions to this transparency requirement may be allowed with a Design Permit if the Planning Commission finds that:
 - (1) The proposed use has unique operational characteristics which preclude building openings, such as for a cinema or theatre; and
 - (2) Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

5. Parking Location and Buffers.

- a. Surface parking shall be located to the rear or side of buildings. Surface parking may not be located between a building and a street-facing property line. See Figure 17.20-7.
- b. Surface parking adjacent to a street-facing property line shall be screened along the public right-of-way with a decorative wall, hedge, trellis, and/or landscaping at least 3 feet in height or maximum allowed pursuant to line of sight requirements in Section 17.96.050.
- c. Loading areas shall be located to the side and rear of buildings, and shall be sufficiently screened from the public right-of-way, as determined by the Community Development Director.

FIGURE 17.20-7: PARKING LOCATION



6. Driveways and Curb Cuts.

- a. The maximum width of a new driveway crossing a public sidewalk may not exceed 40 percent of the parcel width or 20 feet, whichever is less. The Community Development Director may approve an exception to this standard in the case of shared or joint use of driveways and parking lots.
- b. New curb cuts, where allowed, shall be located and designed to maximize safety and convenience for pedestrians, bicycles and mass transit vehicles, as determined by the Community Development Director. Considerations for determination include separation between curb cuts, displaced parking, and sight lines.

7. Paved Site Areas.

- a. The materials, colors, textures, and other design features of on-site paved areas, including courtyards, walkways, and patios, shall complement and enhance the overall design character of development on the site.
- b. The use of asphalt for on-site paving is prohibited, except when used for parking areas and vehicle circulation.

- 8. Garbage and Recycling.** Facilities for garbage and recycling shall be screened from public right-of-way and either designed into the architecture of the primary building or enclosed in an accessory structure located to the side and/or rear of the primary building.

- 9. Landscaping.** See Section 17.72.050.B.

17.20.040 Development Standards – Mixed Use Neighborhood Zoning District

- A. General.** Table 17.20-3 identifies development standards that apply in the Mixed Use Neighborhood (MU-N) zoning district.

TABLE 17.20-3: DEVELOPMENT STANDARDS IN THE MIXED USE NEIGHBORHOOD ZONING DISTRICT

	Zoning District	Additional Standards
	MU-N	
Site Requirements		
Parcel Area, Minimum [1]	3,200 sq. ft.	
Parcel Width, Minimum [1]	40 ft.	
Parcel Depth, Minimum [1]	80 ft.	
Floor Area Ratio, Maximum	1.0	Section 17.48.040
Parking and Loading	See Chapter 17.76	
Structure Requirements		
Setbacks		
Front	Min: 0 ft. from property line or 10 ft. from curb, whichever is greater [3] [4] Max: 25 ft.	Section 17.20.040.C
Rear	10 ft. min. from property line [2] [3] [4]	
Interior Side	10% of lot width [3] [4]	
Street Side	Min: 0 ft. from property line or 10 ft. from curb, whichever is greater [3] Max: 25 ft.	
Height, Maximum	27 ft.	Section 17.20.040.D
Accessory Structures	See Chapter 17.52	

Notes:

[1] Parcel area, width, and depth requirements apply only to the creation of new parcels. These requirements do not apply to legally created parcels existing as of [effective date of updated Zoning Code]. See Capitola Municipal Code Title 16 (Subdivisions) for requirements that apply to lot line adjustments to existing parcels that do not comply with the parcel area, width, and depth requirements in this table.

[2] 20% of lot depth for residential use on parcel.

[3] The Planning Commission may approve reduced front, side, and rear setback requirements for properties fronting Capitola Avenue north of the trestle up to and including 431 Capitola Avenue.

[4] The Planning Commission may reduce front, side, and rear setbacks when a parcel is surrounded by commercial properties.

B. Building Orientation.

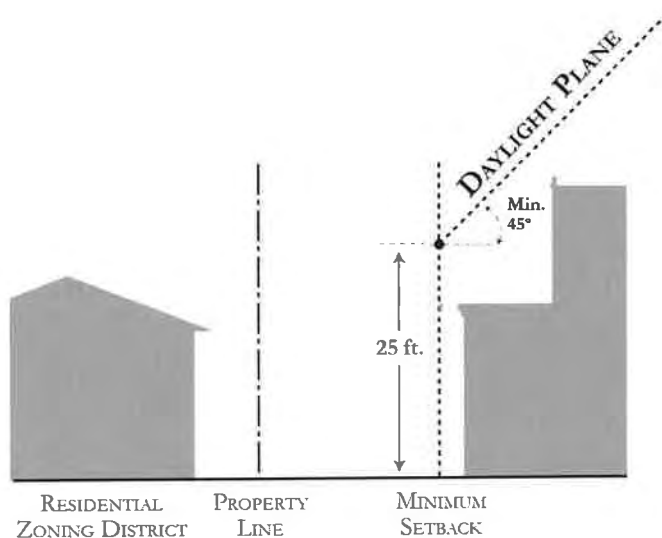
- Buildings shall be oriented towards a public street with the primary entrance to the site or building directly accessible from an adjacent sidewalk.
- The Planning Commission may grant an exception to the requirement in paragraph 1 above upon finding that unique conditions on the site require an alternative building orientation and that the proposed project would maintain a pedestrian-friendly and active street frontage to the greatest extent possible.

C. Setbacks in the MU-N Zoning District. Front setback areas in the MU-N Zoning District not used for vehicle parking or circulation shall be pedestrian oriented and shall

be either landscaped or contain semi-public amenities such as courtyards or outdoor seating areas.

- D. Residential Transitions – Daylight Plane.** When a property abuts a residential zoning district, no structure shall extend above or beyond a daylight plane having a height of 25 feet at the setback from the residential property line and extending into the parcel at an angle of 45 degrees. See Figure 17.20-8.

FIGURE 17.20-8: RESIDENTIAL TRANSITIONS – DAYLIGHT PLANE



- E. Parking Location and Buffers.** Surface parking shall be located to the rear or side of buildings where possible. When parking is located between a building and a street-facing property line, the parking shall be either:

1. Screened along the street with a decorative wall, hedge, trellis, and/or landscaping at least 3 feet in height; or
2. Designed to minimize visual impacts and support a pedestrian-friendly environment to the greatest extent possible as determined by the Planning Commission.

F. Driveways and Curb Cuts.

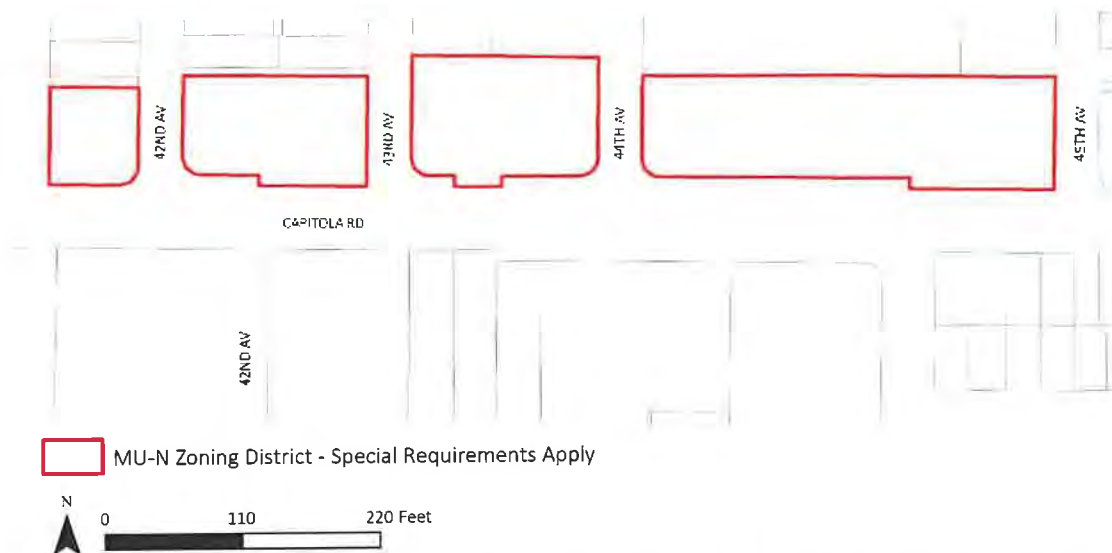
1. The maximum width of new driveways crossing a public sidewalk may not exceed 40 percent of the parcel width or 20 feet, whichever is less. The Community Development Director may approve exceptions to these standards in the case of shared or joint use of driveways and parking lots.
2. New curb cuts, where allowed, shall be located and designed to maximize safety and convenience for pedestrians, bicycles and mass transit vehicles, as determined by the Community Development Director. Considerations for determination include adequate separation between curb cuts, displaced parking, and sight lines.

G. Landscaping. See Section 17.72.050.B.

H. Capitola Road. The following standards apply to new primary buildings constructed in the MU-N zoning district fronting the north side of Capitola Road between 41st Avenue and 45th Avenue as shown in Figure 17.20-9. These standards do not apply to alterations or expansions to existing buildings.

1. Buildings shall feature a gabled or hipped roof with a minimum 5:12 roof pitch.
2. Buildings shall be setback from the curb or street edge in a manner that allows for a minimum 10-foot sidewalk along the property frontage.

FIGURE 17.20-9: CAPITOLA ROAD MU-N SUBJECT TO SPECIAL STANDARDS



I. Objective Standards for Multifamily Dwellings and Mixed-use Residential Development. New multifamily dwellings and mixed-use residential development in the MU-N zoning district must comply with Chapter 17.82 (Objective Standards for Multifamily and Mixed-use Residential Development).

Chapter 17.24 - COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Sections:

- 17.24.010 Purpose of the Commercial and Industrial Zoning Districts
- 17.24.020 Land Use Regulations
- 17.24.030 Development Standards
- 17.24.040 Residential Mixed Use Development in Commercial Zoning Districts

17.24.010 Purpose of the Commercial and Industrial Zoning Districts

- A. Community Commercial (C-C) Zoning District.** The purpose of the C-C zoning district is to provide areas for a variety of commercial uses serving Capitola residents and visitors. The C-C zoning district allows for retail, restaurants, and services that meet the daily needs of the community. The scale, intensity, and design of development in the C-C zoning district shall be compatible with adjacent neighborhoods and contribute to Capitola's unique coastal village character. Interspersed residential and office uses in the C-C zoning district shall support a diverse local economy and range of housing choices.
- B. Regional Commercial (C-R) Zoning District.** The purpose of the C-R zoning district is to provide areas for commercial uses that serve regional shoppers as well as Capitola residents, workers, and visitors. The C-R zoning district will maintain a critical mass of retail and service uses that maintain 41st Avenue as a successful retail destination. Office, medical, and residential uses will be restricted to protect the long-term economic vitality of the corridor. Incremental redevelopment of underutilized properties in the C-R zoning district will enhance the corridor as a pedestrian-friendly shopping destination that enhance Capitola's unique identity and quality of life.
- C. Industrial (I) Zoning District.** The purpose of the I zoning district is to provide an area for heavy commercial and light industrial uses in Capitola. The I zoning district allows for non-residential uses which are desired in the community but could be incompatible with land uses in other zoning districts. The I zoning district shall continue to accommodate businesses that contribute to a diverse economy, provide local jobs, and serve the needs of residents and other businesses in Capitola.

17.24.020 Land Use Regulations

- A. Permitted Land Uses.** Table 17.24-1 identifies land uses permitted in the commercial and industrial zoning districts. The City Council may approve a use not listed in Table 17.24-1 after receiving a recommendation from the Planning Commission and finding the use to be consistent with the General Plan and the purpose of the zoning district.

TABLE 17.24-1: PERMITTED LAND USES IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Key P Permitted Use A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed	Zoning District			Additional Requirements
	C-C	C-R	I	
Residential Uses				
Single-Family Dwellings	-	-	-	
Multifamily Dwellings	C	C [9]	-	
Residential Mixed Use	C	C [7]	-	Section 17.24.040
Public and Quasi-Public Uses				
Colleges and Trade Schools	C	C	C	
Community Assembly	C	C	-	
Cultural Institutions	C	C	-	
Day Care Centers	C	C	-	
Emergency Shelters	-	-	P	Section 17.96.030
Government Offices	See 17.24.020.C		C	
Medical Offices and Clinics	See 17.24.020.C		-	
Public paths and coastal accessways	C	C	C	
Public Safety Facilities	C	C	C	
Commercial Uses				
Alcoholic Beverage Sales	C	C	C	
Banks	P [2]	P [2]	-	
Financial Institutions	P [2]	P [2]	-	Section 17.24.020.C
Business Services	P [2]	P [2]	P	
Commercial Entertainment and Recreation	M	M	-	
Drive-Through Facilities	-	C [4]	-	
Eating and Drinking Establishments				
Bars and Lounges	C	C	C	
Mobile Food Vendors	-	A [6]/C	A [6]/C	
Restaurants and Cafes	M [2]	M [2]	C	
Take-Out Food and Beverage	M [2]	M [2]	-	
Food Preparation	M [2]	-	P	
Gas and Service Stations	C	C	-	
Liquor Stores	C	C	-	
Lodging				
Bed and Breakfast	C	-	-	
Hotel	C	C	-	

Maintenance and Repair Services	M	C	P	
Personal Services	P [1]	P [1]	-	
Professional Offices	See 17.24.020.C		P	
Salvage and Wrecking	-	-	P	
Self-Storage	C	-	C	Section 17.96.140
Retail	P	P	-	
Retail Cannabis Establishment	-	C [10]	-	Section 17.24.020(D)
Vehicle Repair	C	C	P	
Vehicle Sales and Rental	C [5]	C [5]	-	
Vehicle Sales Display Room [8]	P	P	-	
Wholesaling	-	M [3]	P	
Heavy Commercial and Industrial Uses				
Construction and Material Yards	-	-	P	
Custom Manufacturing	M	M	P	
Light Manufacturing	-	-	P	
Warehousing and Distribution	-	-	P	
Transportation, Communication, and Utility Uses				
Utilities, Major	-	C	C	
Utilities, Minor	P	P	P	
Recycling Collection Facilities	C	C	C	Section 17.96.130
Wireless Communications Facilities	See 17.104			
Other Uses				
Accessory Uses	See 17.52			
Home Occupations	A	A	-	Chapter 17.96.040
Permanent Outdoor Display	C	C	C	Section 17.96.100
Temporary Uses	See 17.76.180			
Urban Agriculture				
Home Garden	P	P	-	
Community Garden	M	M	-	
Urban Farm	C	C	-	

Notes:

- [1] Combination of two or more tenant suites within a multi-tenant building or greater than 5,000 sq. ft. requires Minor Use Permit
- [2] Combination of two or more tenant suites within a multi-tenant building or greater than 5,000 sq. ft. requires Conditional Use Permit
- [3] Without stock. Storage of merchandise limited to samples only.
- [4] Prohibited within 100 feet of a residential zoning district or residential use including residential properties outside the City limits. Distance is measured from any site feature designed and/or used to provide drive-through service (e.g., vehicle aisle, menu board, lighting) to the property of the residential district or use.
- [5] Majority of vehicles for sale must be new.
- [6] Mobile food vendors in one location two times or less per year are regulated as a temporary use in accordance with Section 17.96.180 and are allowed with an Administrative Permit in accordance with Municipal Code Chapter 9.36. Mobile food vendors in one location more than two times per year require a Conditional Use Permit.
- [7] Residential uses are prohibited on the first story.
- [8] Maximum 5,000 square feet.
- [9] Allowed only as a part of a mixed-use project integrated with commercial structures located on the same development site.
- [10] Requires cannabis retail license (Chapter 9.61) and compliance with subsection D of this section.

B. Additional Permits. In addition to permits identified in Table 17.24-1, development projects in the commercial and industrial zoning districts may also require a Design Permit pursuant to Chapter 17.120 (Design Permits). Modifications to a historic resource may require a Historic Alteration Permit pursuant to Chapter 17.84 (Historic Preservation). Development in the coastal zone may require a Coastal Development Permit pursuant to Chapter 17.32 (Coastal Overlay Zone) independent of and in addition to any other required permit or approval.

C. Office Uses in the C-C and C-R Zoning Districts.

1. **New Office Uses.** In the C-C and C-R zoning districts, permits required for new office uses and conversions of non-office space to office use are shown in Table 17.24-2. Offices include professional, medical, financial institutions and governmental offices.
2. **Existing Office Uses.** Within office building utilized exclusively for office uses as of [effective date of Zoning Ordinance], office uses may continue to occupy ground floor tenant spaces. Within such office building, a new tenant is not subject to the permit requirements in Table 17.24-2 until such time that the building is redeveloped or all office space in the ground floor level is converted to a non-office use.

TABLE 17.24-2: PERMITTED NEW OFFICE USES IN THE C-C AND C-R ZONING DISTRICTS

Key		
P	Permitted Use	
A	Administrative Permit required	
M	Minor Use Permit required	
C	Conditional Use Permit required	
-	Use not allowed	
Location and Size of Office Use		
Ground floor, less than 5,000 sq. ft.		P
Ground floor, 5,000 sq. ft. or more		C
Upper floor above a ground floor		P
Located within a multi-tenant site in which the office space is not located within a storefront and is setback from the front façade.		P

D. Retail Cannabis in the C-R Zoning District. A Retail Cannabis Establishment in the C-R zoning district must be in compliance with the following standards.

1. **Permit Requirements.**

- a. **Cannabis Retail License.** Prior to conditional use permit application, an applicant shall obtain a potential Retail Cannabis License from the City, as outlined in Chapter 5.36.
- b. **Conditional Use Permit.** A Retail Cannabis Establishment must obtain a Conditional Use Permit from the Planning Commission. The Retail Cannabis Establishment shall be in compliance with the following standards:
 - (1) **Distance from Schools and Churches.** Retail Cannabis Establishments are not permitted within a path of travel of 1,000 feet from any schools and churches. The path of travel shall be measured following the shortest path of travel along a public right-of-way from the property line of the proposed Retail Cannabis Establishment parcel to the church or school.
 - (2) **Distance between Retail Cannabis Establishments.** A retail cannabis establishment shall not be located within a path of travel of 500 feet of another retail cannabis establishment. Path of travel is measured from the retail establishment suite on a multitenant property or the structure for a single tenant property.
 - (3) **Independent Access.** A retail cannabis establishment shall have an independent exterior entrance that is not shared with any other business or residence.
 - (4) **Signs.** Notwithstanding other sections of the code for signs, a retail cannabis establishment shall be limited to one exterior building sign per business location to identify the business as a retail cannabis establishment in compliance with the following standards:
 - a) Sign may include only the name of business and one green cross.
 - b) Sign area maximum of 15 square feet, or one square foot per linear frontage of the business; whichever is less.
 - c) Sign may not have any reference, through symbols or language, to cannabis with the exception of one green cross.
 - d) Sign shall not be directly illuminated except during operating hours
 - e) Sign shall otherwise be subject to Planning Commission review through a Sign Permit Application in accordance with Section 17.132.

17.24.030 Development Standards

- A. **General.** Table 17.24-3 identifies development standards that apply in the commercial and industrial zoning districts.

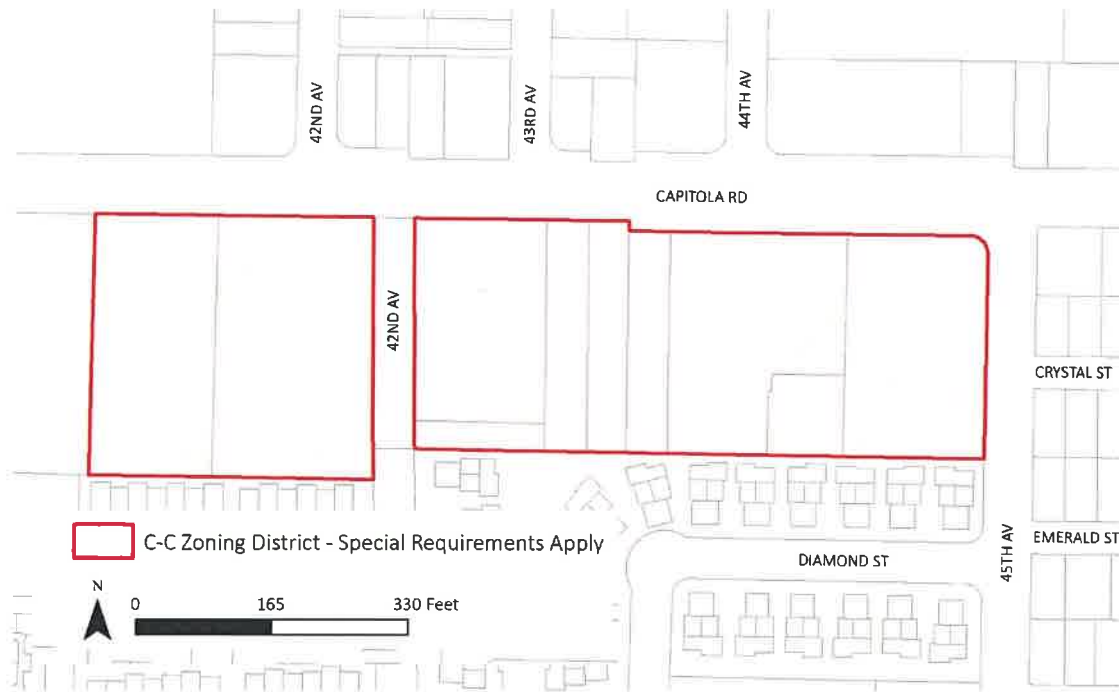
TABLE 17.24-3: DEVELOPMENT STANDARDS IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

	C-C	C-R	I	Additional Standards
Site Requirements				
Parcel Area, Minimum	5,000 sq. ft.			
Parcel Width, Minimum	50 ft.			
Parcel Depth, Minimum	100 ft.			
Floor Area Ratio, Maximum	1.0	1.5	0.5	17.24.030.C 17.88
Structure Requirements				
Setbacks, Minimum				
Front	See 17.24.030.C		0 ft.	
Rear	0 ft. unless adjacent to a residential zoning district (see 17.24.030.E)			
Interior Side	0 ft. unless adjacent to a residential zoning district (see 17.24.030.E)			
Street Side	See 17.24.030.C		0 ft.	
Height, Maximum	40ft.	40 ft.	30 ft.	17.24.030.D&E 17.88
Landscaped Open Space, Minimum	5%		5%	Table 17.72-1
Parking and Loading	See 17.76			

B. CC Zoning District Fronting Capitola Road. The following requirements apply to C-C parcels fronting the south side of Capitola Road between 41st Avenue and 45th Avenue as shown in Figure 17.24-1

1. **Maximum Height:** 35 feet.
2. **Minimum Rear Setback:** 40 feet.
3. **Enhanced Application Review.** A proposed project with a height greater than two stories shall comply with the following enhanced application review procedures.
 - a. **Conceptual Review.**
 - (1) Prior to consideration of a formal application, the Planning Commission and City Council shall provide conceptual review of a proposed project in accordance with Chapter 17.114 (Conceptual review).

FIGURE 17.24-1: PARCELS FRONTING CAPITOLA ROAD BETWEEN 41ST AVENUE AND 45TH AVENUE



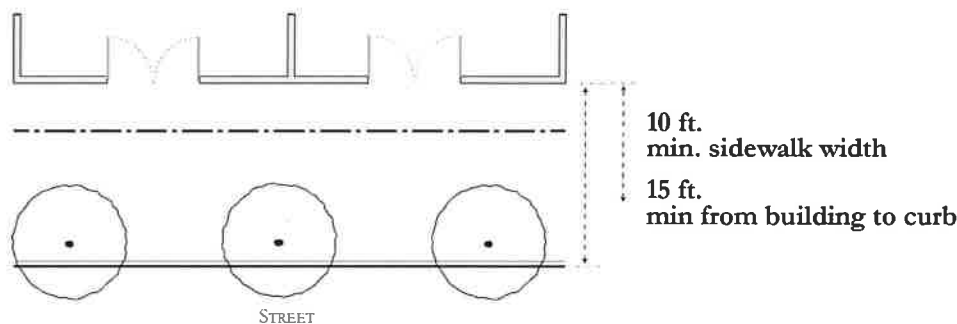
- (2) Before Planning Commission and City Council review, the applicant shall host at least one community workshop to solicit community input on preliminary project plans.
 - (3) When reviewed by the Planning Commission and City Council, the applicant shall demonstrate how the project design addresses public input received at the community workshop, as appropriate.
- b. **City Council Action.** Following conceptual review, the Planning Commission shall serve as the recommending body and the City Council shall serve as the review authority and take final action on the application.
 - c. **Findings.** To approve the application, the City Council shall make all of the following findings in addition to findings for the required permits:
 - (1) The project satisfies applicable Design Review criteria in 17.120.070 (Design Review Criteria).
 - (2) On-site parking, points of ingress/egress, and internal vehicle accessways are located and designed to minimize parking and traffic impacts on neighboring residential areas to the greatest extent possible.
 - (3) The project incorporates rear yard setbacks and upper story setbacks as needed to maintain adequate light and air for abutting residential uses.
 - (4) The height and intensity of development is compatible with the scale and character of neighboring residential areas.

- (5) The project incorporates design features to support a safe and welcoming pedestrian environment. Potential features may include, but are not limited to, enhanced sidewalks along the property frontage, internal pedestrian walkways, outdoor public gathering places, unique landscaping treatments, and active ground-floor uses fronting the street.

C. Front and Street Side Setbacks in the C-R and C-C Zoning Districts. In the C-R and C-C zoning districts, buildings shall be setback from the front and street side property line so that:

1. The building is at least 15 feet from the curb or street edge; and
2. Building placement allows for a minimum 10-foot sidewalk along the property frontage. See Figure 17.24-2.

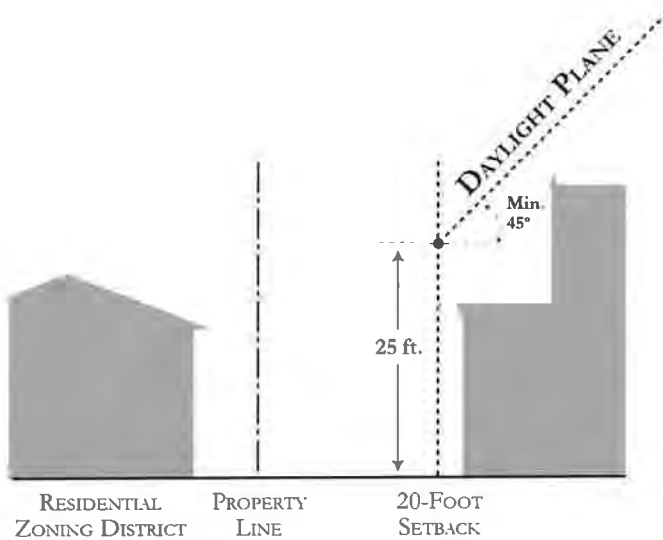
FIGURE 17.24-2: FRONT AND STREET SIDE SETBACKS IN THE C-R AND C-C ZONING DISTRICTS



D. Increased Floor Area and Height in C-C and C-R Zoning Districts. As provided in Chapter 17.88 (Incentives for Community Benefits), the City Council may approve exceptions to height and floor area ratio (FAR) limits shown in Table 17.24-3 for proposed projects in the C-C and C-R zoning districts. These exceptions are intended to facilitate the redevelopment of underutilized properties along 41st Avenue consistent with the vision for the corridor described in the General Plan.

E. Residential Transition Standards. Where a commercial or industrial zoning district abuts a residential zoning district, the following standards apply.

1. **Setbacks.** The minimum setback from the residential property line shall be 15 feet for interior side yards and 20 feet for rear yards. For lots less than 100 feet wide, the Planning Commission may allow a reduced side yard setback upon finding that potential impacts to adjacent residential properties have been adequately minimized through enhanced building and landscape design.
2. **Daylight Plane.** No structure shall extend above or beyond a daylight plane having a height of 25 feet at the setback from the residential property line and extending into the parcel at an angle of 45 degrees. See Figure 17.24-3.

FIGURE 17.24-3: RESIDENTIAL TRANSITIONS – DAYLIGHT PLANE

3. **Landscaping.** A landscaped planting area, extending a minimum of 10 feet from the property line, shall be provided along all residential property lines. A tree screen shall be planted in this area with trees planted at a minimum interval of 15 feet.
 4. **Loading.** Loading and unloading shall be designed to have the least amount of impact on neighboring residential uses. When feasible, loading and unloading shall be provided from the commercial frontage rather than from areas adjacent residential uses.
- F. Capitola Mall Redevelopment.** While the Capitola Mall site has been zoned Regional Commercial (C-R) as part of the Zoning Code Update, it is expected that major redevelopment of the mall property may require a Rezone, Planned Development, Specific Plan, Development Agreement, or similar process to tailor appropriate development standards for the redevelopment project. Where an application submitted pursuant to this section includes fewer than all parcels within the Mall property, the applicant shall demonstrate that the development type and pattern and site design will be compatible and not unreasonably interfere with future redevelopment of the remaining parcels. For the purposes of this section, the mall property is defined as the area bound by 41st Avenue, Clares Street, and Capitola Road.
- G. Landscaping.** See Section 17.72.050.B for Non-Residential Landscape Requirements.
- H. Objective Standards for Multifamily Dwellings and Mixed-use Residential Development.** New multifamily dwellings and mixed-use residential development in the C-c and C-R zoning districts must comply with Chapter 17.82 (Objective Standards for Multifamily and Mixed-use Residential Development).

17.24.040 Residential Mixed Use Development in Commercial Zoning Districts

A. Purpose and Applicability. This section establishes design standards for mixed use development with housing above ground floor commercial uses in the Community Commercial (C-C) and Regional Commercial (C-R) zoning districts. These standards are intended to promote successful mixed use development that is pedestrian-friendly and contributes to the vitality of commercial districts in Capitola.

B. Standards.

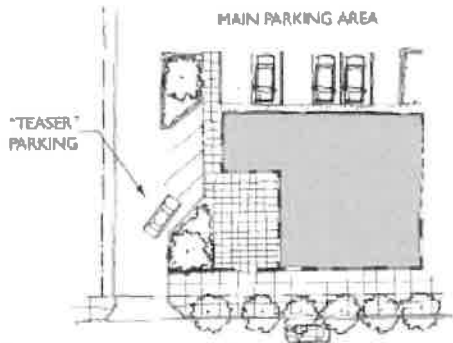
1. **Ground Floor Uses.** Ground floor spaces fronting the primary street shall be occupied by retail, restaurant, and personal service uses that generate pedestrian activity.
2. **Building Placement.** Buildings shall be placed near the edge of the sidewalk. Increased setbacks are permitted if they enhance pedestrian experience and add visual interest.
3. **Building Orientation.** Buildings shall be oriented towards a public street with the primary entrance to the site or building directly accessible from an adjacent sidewalk. The Planning Commission may allow buildings and their primary entrances to be oriented toward a public space. The primary entrance to a building shall not be oriented towards surface parking.
4. **Blank Walls.** The length of an unarticulated/blank building wall shall not exceed 10 feet. Architectural articulation should have similar pattern as other adjacent buildings to provide cohesive design in the neighborhood. Building articulation may be provided by:
 - a. Doors, windows, and other building openings;
 - b. Building projections or recesses, doorway and window trim, and other details that provide architectural articulation and design interest;
 - c. Varying wall planes, heights or contrasting materials and colors; and
 - d. Awnings, canopies, or arcades to reinforce the pedestrian scale and provide shade and cover from the elements.
5. **Storefront Width.** The width of a single building/storefront shall not exceed 50 feet. Larger buildings shall be broken down into a pedestrian-scale rhythm with individual storefront widths of 25 to 50 feet.
6. **Ground Floor Building Transparency.** The ground floor street-facing building walls of non-residential uses shall provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage located between 2½ and 7 feet above the sidewalk. See Figure 17.24-4. Windows or doors area shall be transparent to allow views into the building. Exceptions to this transparency requirement may be allowed if the Planning Commission finds that:
 - a. The proposed use has unique operational characteristics which preclude building openings, such as for a cinema or theatre; or

- b. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

FIGURE 17.24-4: STOREFRONT TRANSPARENCY



7. **Retail Depth.** Ground floor commercial space shall have a depth of at least 45 feet or two-thirds of the parcel depth, whichever is less. Where possible, 60-foot depths are encouraged to accommodate a wider range of tenants, especially food tenants. The Planning Commission may grant an exception to the minimum retail depth requirement if the minimum retail depth is infeasible due to unusual physical conditions on the parcel.
8. **Ground-Floor Height.** Ground floor commercial space shall have a minimum floor-to-floor height of 15 feet. Where possible, 18-foot floor-to-floor heights are encouraged.
9. **Parking Location.** No more than 10 percent of off-street retail parking may be provided -along the side of retail as “teaser” parking. The remainder of the parking shall be behind the building or in underground/structured parking. See Figure 17.24-5
10. **Driveways and Curb Cuts.** Pedestrian and vehicle conflicts shall be minimized by limiting the number of curb cuts to two per block and the width of curb cuts to 24 feet where feasible. To the extent possible, curb cuts shall be designed so pedestrian curb ramps are limited and pathways remain level as they cross the vehicle route.

FIGURE 17.24-5: RESIDENTIAL MIXED USE – TEASER PARKING

Small amounts of "teaser" parking can act as a visual cue to direct drivers to additional parking out of view.

Chapter 17.82 - OBJECTIVE STANDARDS FOR MULTIFAMILY AND MIXED-USE RESIDENTIAL DEVELOPMENT

Sections:

- 17.82.010 Purpose
- 17.82.020 Applicability
- 17.82.030 Deviations
- 17.82.040 Circulation and Streetscape
- 17.82.050 Parking and Vehicle Access
- 17.82.060 Building Placement, Orientation, and Entries
- 17.82.070 Building Massing
- 17.82.080 Facade and Roof Design
- 17.82.090 Other Site Features

17.82.010 Purpose

This chapter contains objective standards for multifamily and mixed-use residential development. These standards are intended to help ensure that proposed development exhibits high-quality design that enhances Capitola's unique identity and sense of place.

17.82.020 Applicability

A. Land Use.

1. The standards in this chapter apply to new multifamily dwellings, attached single-family homes (townhomes), and mixed-use development that contain both a residential and non-residential use.
2. This chapter does not apply to detached single-family dwellings, including subdivisions of multiple subdivisions of multiple single-family homes.

B. Zoning Districts. The standards in this chapter apply in all zoning districts except for the Single-Family (R-1), Mobile Home (MH), Mixed Use Village ((MU-V), and Industrial (I) districts.

17.82.030 Deviations

An applicant may request deviation from one or more standard through the design permit process. The Planning Commission may approve a deviation upon finding that the project incorporates an alternative method to achieve the intent statement the proceeds the standard. A project requesting a deviation is not eligible for streamlined ministerial approval under Government Code Section 65913.4.

17.82.040 Circulation and Streetscape

A. Intent. The intent of the circulation and streetscape standards is to:

1. Enhance the visual character and aesthetic qualities of the city.
2. Encourage pedestrian mobility with safe, functional, and attractive sidewalks.
3. Provide for sufficient sidewalk widths to accommodate street trees and an ADA-compliant pedestrian clear path.
4. Provide for appropriate and attractive transitions from the public to private realm.
5. Promote social engagement along property frontages.

B. Standards.

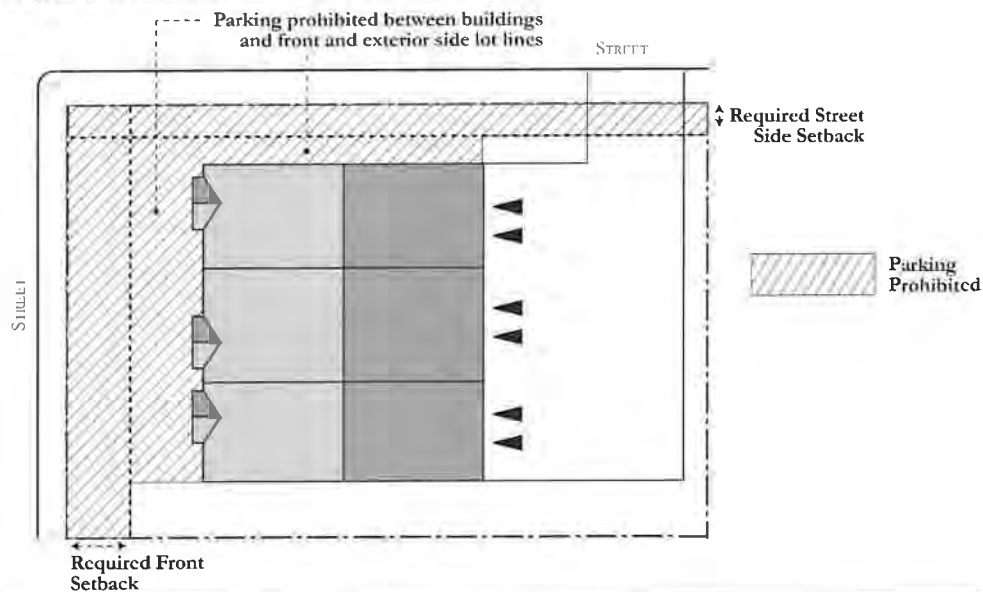
1. Sidewalks. Outside of designated sidewalk exempt areas, public sidewalks abutting a development parcel shall have a minimum sidewalk width (back of curb to back of walk) as follows:
 - a. RM and MU-N zones: 6 feet. If the sidewalk ties into an existing 4-foot sidewalk, the minimum sidewalk width is 4 feet.
 - b. C-C and C-R zones: 10 ft.
2. Street Trees.
 - a. At least one street tree for every 30 feet of linear feet of sidewalk length shall be provided within the sidewalk.
 - b. A minimum 48-inch pedestrian clear path shall be maintained adjacent to street trees.
 - c. Sidewalk tree wells shall be minimum 36 inches in width by minimum 36 inches in length. Tree grates are required for sidewalks less than 7 feet in width.
 - d. Street trees shall be located a minimum 15 feet from power and/or other utility poles and “small” per PG&E’s “Trees and shrubs for power line-friendly landscaping” to reduce potential utility line conflicts.
 - e. Street trees shall not be planted over buried utilities, public or private.
 - f. Street trees shall be planted with approved root guard to encourage downward root growth
 - g. The variety of street tree to be planted must be approved the City as part of a landscape plan.
3. Public Access Easement. If the existing public right-of-way area between the curb and the property line is insufficient to meet the minimum standards above, extension of the sidewalk onto the property, with corresponding public access easement or dedication, shall be provided.

17.82.050 Parking and Vehicle Access**A. Intent.** The intent of the parking and vehicle access standards is to:

1. Support a pedestrian-friendly streetscape, walkable neighborhoods, and active and inviting mixed-use districts.
2. Minimize the visual dominance of parking facilities visible from the street frontage.
3. Encourage residents to walk, bike, and/or take transit to destinations, rather than drive.

B. Standards**1. Parking Placement.**

- a. As shown in Figure 17.82-1, surface parking spaces may not be located:
 - (1) In a required front or street side setback area; or
 - (2) Between a primary structure and a front or street side property line.
- b. The Director may administratively approve an exception to this requirement for age-restricted senior housing developments or when necessary to provide ADA-compliant parking. For such exceptions, the following standards apply:
 - (1) Parking areas adjacent to a street must include a landscaped planting strip between the street and parking area at least four feet wide with a minimum planting height of 36 inches.
 - (2) Plantings and screening materials may include a combination of plant materials, earth berms, solid decorative masonry walls, raised planters, or other screening devices that are determined by the Director to meet the intent of this requirement.
 - (3) Trees must be provided within the planting strip at a rate of at least one tree for each 30 feet of street frontage with a minimum distance of not more than 60 feet between each tree. Tree species must reach a mature height of at least 20 feet.

Figure 17.82-1: Parking Placement

2. **Driveway Width.** The maximum width of a new driveway crossing a public sidewalk is 12 feet for a one-car driveway and 20 feet for a two-car driveway. Greater driveway width is allowed if required by the Fire District.
3. **Number of Driveways.** A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic are permitted per street frontage per 150 feet of lineal street frontage. Deviation from this standard is allowed if required by the Fire District.
4. **Garage Width and Design.**
 - a. Garage doors may occupy no more than 40 percent of a building's street frontage and shall be recessed a minimum of 18 inches from a street-facing wall plane.
 - b. Street-facing garage doors serving individual units that are attached to the structure must incorporate one or more of the following so that the garage doors are visually subservient and complementary to other building elements:
 - (1) Garage door windows or architectural detailing consistent with the main dwelling.
 - (2) Arbor or other similar projecting feature above the garage doors.
 - (3) Landscaping occupying 50 percent or more of driveway area serving the garage (e.g., "ribbon" driveway with landscaping between two parallel strips of pavement for vehicle tires)
5. **Podium Parking.**

- a. **Landscaping Strip.** Partially submerged podiums adjacent to a street must include a landscaped planter between the street and podium at least 4 feet wide with a planting height and vegetative cover sufficient in height to fully screen the podium edge and ventilation openings from view. At maturity, plantings must comprise a minimum of 75 percent of the total landscape planter area.
 - b. **Residential-only Projects.**
 - (1) The maximum height of lower-level parking podium adjacent to the street is 5 feet above finished sidewalk grade.
 - (2) First-floor units above a street-facing podium must feature entries with stoops and stairs providing direct access to the adjacent sidewalk.
 - c. **Mixed-Use Projects.** The podium parking entry shall be recessed a minimum of 4 feet from the front street-facing building facade.
6. **Loading.**
- a. Loading docks and service areas on a corner lot must be accessed from the side street.
 - b. Loading docks and service areas are prohibited on the primary street building frontage.

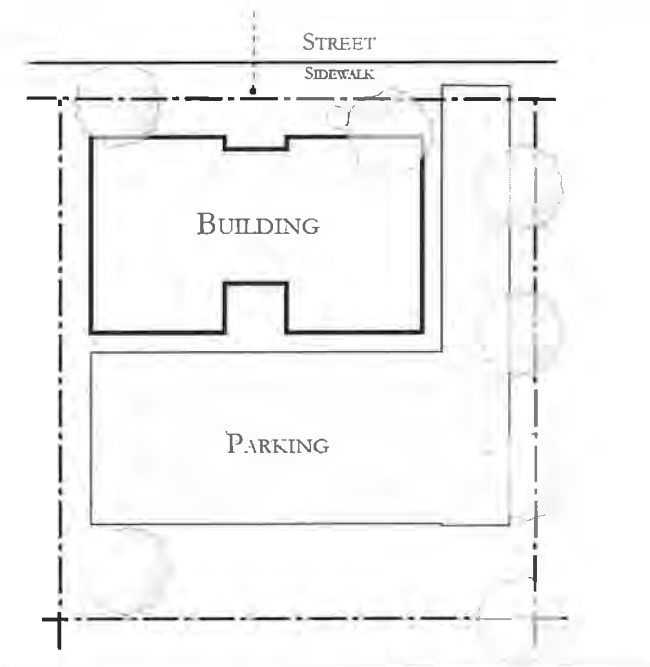
17.82.060 **Building Placement, Orientation, and Entries**

- A. **Intent.** The intent of the building placement, orientation, and entries standards is to:
1. Support cohesive neighborhoods and social interaction with outward facing buildings.
 2. Support a pedestrian-oriented public realm with an attractive and welcoming streetscape character.
 3. Provide for sensitive transition from the public realm (sidewalk) to the private realm (residences).
 4. Provide adequate area behind buildings for parking.
- B. **Standards**
1. **Maximum Front Setback.**
 - a. RM Zone: 25 ft. or front setback of adjacent building, whatever is greater.
 - b. MU-N Zone: 25 ft.
 - c. C-C and C-R Zones: 25 ft. from edge of curb.
 2. **Front Setback Area.**

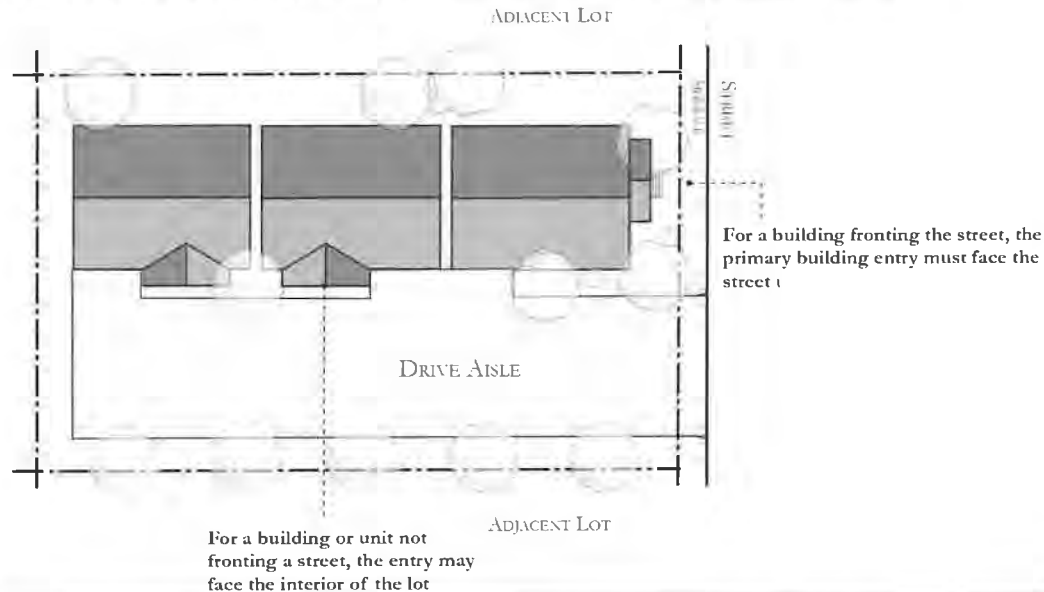
- a. All areas between a building and adjoining sidewalk shall be landscaped with live plant materials, except for:
 - (1) Areas required for vehicular or pedestrian access to the property; and
 - (2) Courtyards, outdoor seating areas, and other similar outdoor spaces for residents, customers and/or the general public.
 - b. Landscaping shall consist of any combination of trees and shrubs, and may include grass or related natural features, such as rock, stone, or mulch. At maturity, plantings must comprise a minimum of 75 percent of the total landscape area.
3. **Building Entrances.**
- a. For buildings with one primary entrance that provides interior access to multiple individual dwelling units, the primary building entrance must face the street. A primary building entrance facing the interior of the interior of a lot is not allowed. See Figure 17.82-2.

Figure 17.82-2: Building Entry Orientation – Single Primary Entry

Primary building entry must face the street



- b. On lots where units have individual exterior entrances, all ground floor units with street frontage must have an entrance that faces the street. If any wall of a ground floor unit faces the street, the unit must comply with this requirement. For units that do not front the street, entrances may face the interior of the lot. See Figure 17.82-3.

Figure 17.82-3: Building Entry Orientation – Multiple Primary Entries

- c. The Director may administratively approve an exception to the entry-orientation standards in this section for residential-only projects on Bay Avenue, Capitola Road, and 41st Avenue north of Jade Street that comply with all of the following standards:

- (1) At least one pedestrian walkway per 50 feet of property street frontage must connect the adjacent sidewalk to the interior of the lot.
- (2) The area between a building and the street must be landscaped, except for private open space for units (patios) and pedestrian pathways.
- (3) Continuous solid fences between buildings and the street are prohibited. Private outdoor space, if provided, may be defined by a low fence at least 50 percent transparent.
- (4) Street-facing buildings may not exceed a width of 100 feet.

4. **Pedestrian Walkway.** A pedestrian walkway, minimum 6-foot width, shall provide a connection between the public street and all building entrances (i.e., residents shall not be required to walk in a driveway to reach their unit).

C. **Entry Design.**

1. **Residential Projects.**

- a. A street-facing primary entrance must feature a porch, covered entry, or recessed entry clearly visible from the street that gives the entrance visual prominence. Entrances must be connected to the adjacent sidewalk with a pedestrian walkway.
- b. Front porches must comply with the following:

- (1) The front porch must be part of the primary entrance, connected to the front yard and in full view of the street-way.
- (2) Minimum dimensions: 6 feet by 5 feet.
- (3) The porch or covered entry must have open-rung railings or landscaping defining the space.
- c. Recessed entries must feature design elements that call attention to the entrance such as ridged canopies, contrasting materials, crown molding, decorative trim, or a 45-degree cut away entry. This standard does not apply to secondary or service entrances.
2. **Mixed-Use Projects.** Entrances to mixed-use buildings with ground floor commercial must be emphasized and clearly recognizable from the street. One or more of the following methods shall be used to achieve this result:
 - a. Projecting non-fabric awnings or canopies above an entry (covered entry);
 - b. Varied building mass above an entry, such as a tower that protrudes from the rest of the building surface;
 - c. Special corner building entrance treatments, such as a rounded or angled facets on the corner, or an embedded corner tower, above the entry;
 - d. Special architectural elements, such as columns, porticos, overhanging roofs, and ornamental light fixtures;
 - e. Projecting or recessed entries or bays in the facade;
 - f. Recessed entries must feature design elements that call attention to the entrance such as ridged canopies, contrasting materials, crown molding, decorative trim, or a 45-degree cut away entry; and
 - g. Changes in roofline or articulation in the surface of the subject wall.
3. **Street-facing Entries to Upper Floors.** Street-facing entries to upper floors in a mixed-use building shall be equal in quality and detail to storefronts. This standard may be satisfied through one or more of the following:
 - a. Dedicated non-fabric awning, canopy, or other projecting element
 - b. Dedicated light fixture(s)
 - c. Decorative street address numbers or tiles
 - d. Plaque signs for upper-floor residences.

17.82.070 **Building Massing**

- A. **Intent.** The intent of the building massing and open space standards is to:

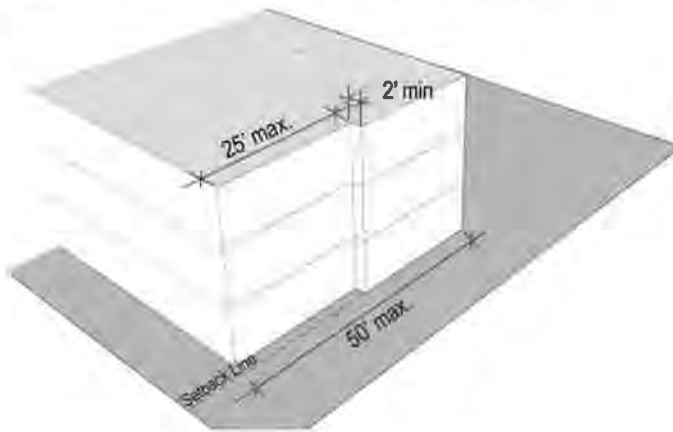
1. Provide for human-scale and pedestrian-friendly building massing where large buildings are broken into smaller volumes that fit into the surrounding neighborhood.
2. Provide for sensitive transitions to adjacent lower-density residential uses.
3. Minimize visual and privacy impacts to neighboring properties.

B. Standards.

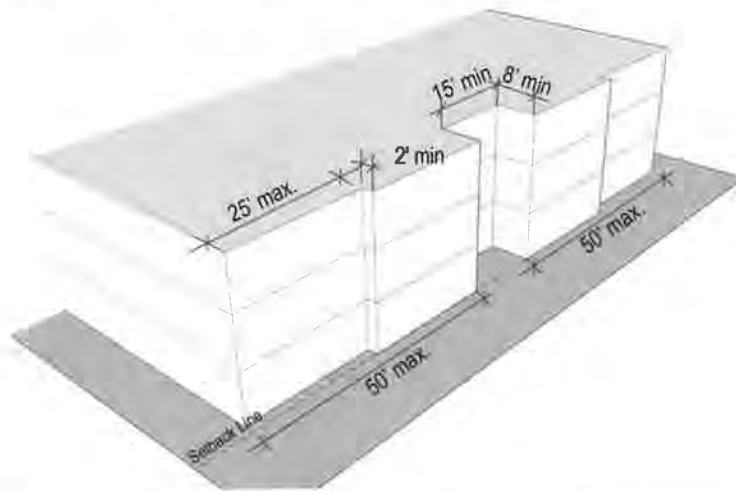
1. Massing Breaks.

- a. All street-facing building facades 25 feet or more in length shall incorporate a building projection or recess (e.g., wall, balcony, or window) at least 2 feet in depth. See Figure 17.82-4.

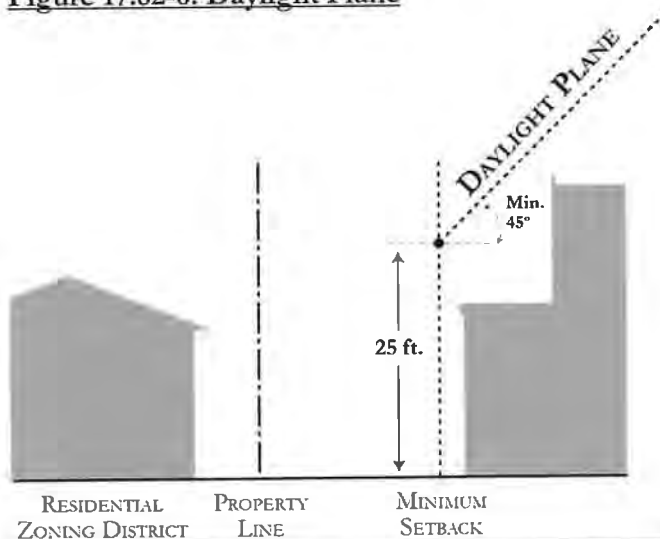
Figure 17.82-4: Massing Breaks – 25 ft. Module



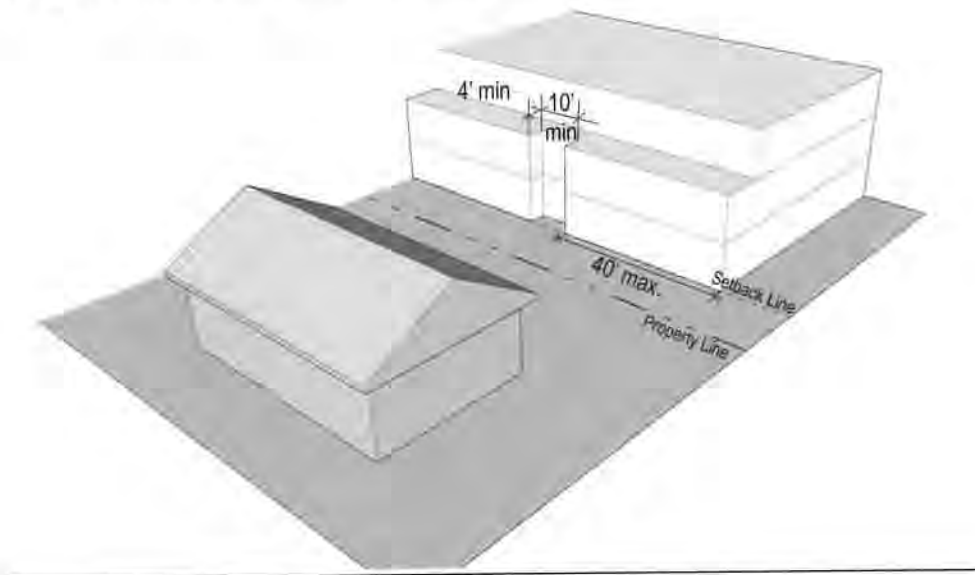
- b. Buildings that exceed 50 feet in length along a street facade shall provide a prominent recess at intervals of 50 feet or less. The recess shall have a minimum of depth of 8 feet and minimum width of 15 feet. See Figure 17.82-5.

Figure 17.82-5: Massing Breaks – 50 ft. Module

2. **Residential Transitions.** Development sharing a side or rear lot line with the R-1 district shall comply with the following:
 - a. No structure shall extend above or beyond a daylight plane having a height of 25 feet at the setback from the residential property line and extending into the parcel at an angle of 45 degrees. See Figure 17.82-6.

Figure 17.82-6: Daylight Plane

- b. A side building wall adjacent to a single-family dwelling may not extend in an unbroken plane for more than 40 feet along a side lot line. To break the plane, a perpendicular wall articulation of at least 10 feet width and 4 feet depth is required. See Figure 17.82-7.

Figure 17.82-7: Break in Side Building Wall**17.82.080 Facade and Roof Design****A. Intent.** The intent of the facade and roof design standards is to:

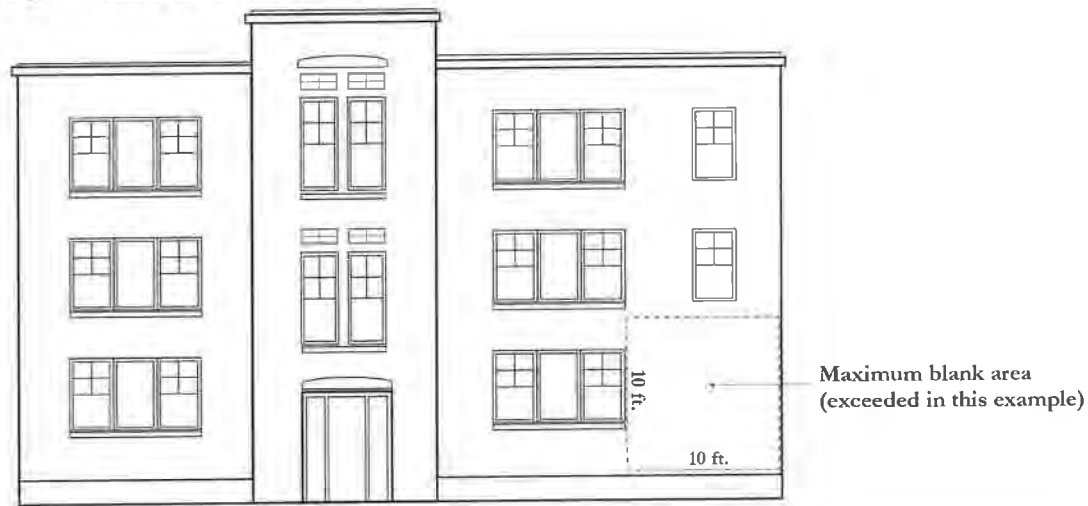
1. Create street-facing building facades that are varied and interesting with human-scale design details;
2. Incorporate architectural elements that reduce the perceived mass and box-like appearance of buildings;
3. Provide for buildings designed as a unified whole with architectural integrity on all sides of the structure;
4. Promote design details and materials compatible with the existing neighborhood character; and
5. Minimize privacy impacts to neighboring properties

B. Standards.**1. Blank Wall Areas.**

- a. The area of a blank building wall fronting a public street may not exceed a square area where the height and width are both 10 feet. See Figure 17.82-8.
- b. A break in a blank building wall may be provided by any of the following:
 - (1) Doors, windows, or other building openings.
 - (2) Building projections or recesses, decorative trim, trellises, or other details that provide architectural articulation and design interest.

- (3) Varying wall planes where the wall plane projects or is recessed at least six inches.
- (4) Awnings, canopies or arcades.
- (5) Murals or other similar public art.

Figure 17.82-8: Blank Walls



2. **Windows and Doors.** Street-facing windows and doors shall comply with one of the following:
 - a. All street-facing windows and doors feature built up profile trim/framing. Windows must include sills and lintels. Trim/framing must project at least two inches from the building wall with material that visually contrasts from the building wall.
 - b. For all street-facing windows, glass is inset a minimum of 3 inches from the exterior wall or frame surface to add relief to the wall surface.
3. **Facade Design.** Each side of a building facing a street shall include a minimum of two of the following facade design strategies to create visual interest:
 - a. **Projecting Windows.** At least 25 percent of the total window area on the street-facing building wall consists of projecting windows. The furthest extent of each projecting window must project at least one foot from the building wall. This requirement may be satisfied with bay windows, oriel windows, bow windows, canted windows, and other similar designs.
 - b. **Window Boxes.** A minimum of 50 percent of street-facing windows feature window boxes projecting at least one-half foot from the building wall.
 - c. **Shutters.** A minimum of 50 percent of street-facing windows feature exterior decorative shutters constructed of material that visually contrasts from the building wall

- d. **Prominent Front Porch.** A front porch with a minimum depth of 6 feet and width of 12 feet providing access to the unit's primary entrance.
 - e. **Balconies.** Balconies, habitable projections, or Juliet balconies, with at least 20 percent of the linear frontage of the street-facing building wall containing one or more above-ground balcony.
 - f. **Shade/Screening Devices.** Screening devices such as lattices, louvers, shading devices, awnings, non-fabric canopies, perforated metal screens, with such a device occupying at least 20 percent of the linear frontage of the street-facing building wall.
 - g. **Datum Lines.** Datum lines that continue the length of the building, such as cornices, with a minimum four inches in depth, or a minimum two inches in depth and include a change in material.
 - h. **Varied Exterior Color.** The street-facing building walls feature two or more visibly contrasting primary colors, with each color occupying at least 20 percent of the street-facing building wall area.
 - i. **Varied Building Wall Material.** The street-facing building walls feature two or more visibly contrasting primary materials (e.g., wood shingles and stucco), with each material occupying at least 20 percent of the street-facing building wall area.
4. **Roof Design.** Each side of a building facing a street shall include a minimum of one of the following roof design strategies to create visual interest:
- a. **Roof Eaves.** A roof eave projecting at least two feet from the street-facing building wall with ornamental brackets or decorative fascia and eave returns.
 - b. **Roof Form Variation.** At least 25 percent of the linear frontage of the building's street-facing building roof line incorporates at least one element of variable roof form that is different from the remainder of the street-facing roof form. This requirement may be satisfied with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.
 - c. **Roof Detail and Ornamentation.** At least 80 percent of the linear frontage of the building's street-facing roof line incorporates roof detail and/or ornamentation. This requirement may be satisfied with Parapet wall that is an average of at least one-foot tall and has a cornice, periodic and articulated corbelling or dentils, an ornamental soffit, an offset gable clearstory, and other similar methods.
5. **Neighbor Privacy.**
- a. **Balconies, roof decks and other usable outdoor building space is not allowed on upper-story facades abutting R-1 zoning district.**

- b. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story facades abutting R-1 zoning district.
 - c. Windows facing adjacent dwellings must be staggered to limit visibility into neighboring units. The vertical centerline of a window may not intersect the window of an adjacent dwelling.
6. **360-degree Design.** Buildings shall have consistent architectural quality on all sides, with all exterior surfaces featuring consistent facade articulation, window and door material and styles, and building wall materials and colors.

17.82.090 Other Site Features

A. Intent. The intent of the other site feature standards is to:

- 1. Minimize visual clutter on a development site.
- 2. Enhance the design character of the public realm.
- 3. Support an active and welcoming pedestrian environment.
- 4. Minimize noise, odor, and visual impacts on neighboring residential properties.

B. Standards.

- 1. **Refuse Storage Areas.**
 - a. Refuse collection and storage areas may not be located:
 - (1) In a required front or street side setback area;
 - (2) Between a primary structure and a front or street side property line;
 - (3) Within a required landscape area; or
 - (4) Within a required side setback area adjacent to an R-1 district.
 - b. Refuse containers shall be located in a building or screened from public view by a solid enclosure.
- 2. **Mechanical Equipment Screening.**
 - a. Rooftop mechanical equipment, including vents and stacks, shall be fully screened from view by an architectural feature, such as a parapet wall.
 - b. Ground-mounted mechanical equipment may not be located
 - (1) In a required front setback area; or
 - (2) Between a primary structure and a front property line.
- 3. Backflow prevention devices shall not be placed directly in front of the building but may be located in a side location of the front yard. Backflow prevention devices may be located within the front half of the lot, when located between the side building plane extending to the front property line and the side yard property line. The equipment shall be either:

- a. Screened to its full height by a combination of fencing and perennial landscaping to 70 percent opacity; or
- b. Contained within a protective enclosure (metal grate) within a planter or landscape bed.