



CVRA Newsletter

Winter-Spring 2016

Capitola Library Turns 16

A Birthday Party is planned for March 5, 11-1pm at the library-2005 Wharf Road. Cake and beverages will be served!

Sixteen years ago Capitola built a temporary library at the corner of Clares Street and Wharf Road. Plans are being made for a permanent library to be built on the same site in the next two years.



On Saturday, March 5 you are invited to join fellow library

enthusiasts and find out about Capitola's plans for our new library, view the working drawings and sign up to be a member of the newly formed **Friends of The Capitola Branch Library**.

Your input is very valuable. Don't miss this first chance to see what's happening and how you can help!

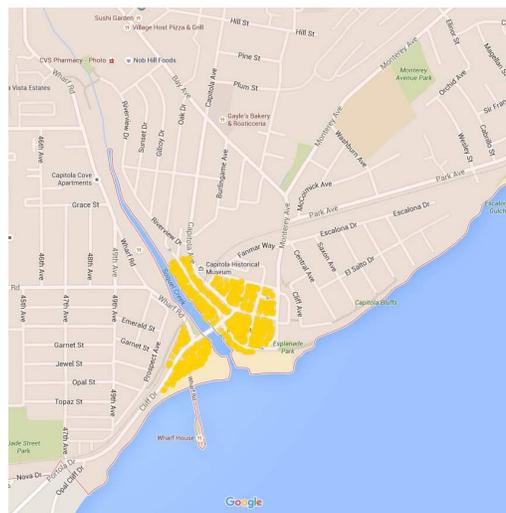
Vacation Rentals in Capitola

by Nels Westman

Rentals of homes for less than 30 days are prohibited in most areas of Capitola. Vacation rentals are almost always for less than 30 days and are thus illegal. An exception for vacation rentals is in the Transient Occupancy Overlay District (essentially the Capitola Village area) where vacation rentals are permitted with the necessary city permits and the collection and remittance of the 10% Transient Occupancy Tax to the City.

With the increased popularity of such websites as Airbnb and VRBO there are a growing number of

vacation rental properties operating illegally in Capitola's residential neighborhoods. Numerous complaints have been filed with the City regarding this growing problem. Complaints center on exacerbated parking problems, noise, late night parties, a constant turnover of strangers and an elevated level of activity typical of the party atmosphere of vacation rentals. Residents feel that this activity conflicts with the quiet enjoyment of their R-1 neighborhoods and that it changes the nature of their residential neighborhoods. They feel that this is the reason the City created the Transient Overlay District in the Village area where more activity, congestion and parking challenges of vacation rentals are more the norm.



Highlighted areas indicate the only locations in Capitola where permits for short-term rentals of residences are available. For details, see the city's [Transient Rental Overlay map](#)

As a result of these many complaints the City Staff brought the issue first to the Planning Commission and then to the City Council. The Planning Commission recommended keeping the existing regulations in place and supported a pro-active information and enforcement program designed to curb vacation

rental violations. This program is designed to insure all vacation rental operators in the Transient Overlay District have the required permits and collect and remit the 10% TOT Tax to the City. It is also designed to stop illegal vacation rentals in all residential neighborhoods through effective enforcement of the existing zoning laws.

The issue then went to the City Council at their January 14th meeting. The Council unanimously supported the city staff program. Several Council Members said that it was important to act soon to reverse the growth of illegal vacation rentals in residential neighborhoods of Capitola. Enforcement includes citations and fines ranging from \$100 to \$500 per violation.

What's next? The City will soon do an informational outreach to all citizens to insure that everyone clearly understands the vacation rental rules. This will be included in the next City Newsletter which is mailed to all residents. Much of the enforcement activity by the City will be in response to neighbors' complaints. To assist the City in stopping illegal vacation rentals, neighbors are encouraged to report apparent illegal vacation rental operations in their neighborhoods to the City Planning Department. The city staff will follow up on every complaint. The location of many vacation rentals can be seen by visiting the websites of Airbnb and VRBO and searching for rentals in Capitola.

Should you wish to make a complaint to the City, please visit the Home page of www.cityofcapitola.org and click on "Forms and Permits". Select the "Code Enforcement Complaint Form" to download the form to use. Complaints must be made in writing and cannot be anonymous. However, your name will be held confidential if you want. If you have any questions please contact the Planning Department at (831) 475-7300.

Raccoons and skunks and rats, Oh My!

by Linda Hanson



We recently received an inquiry about increasing encounters with raccoons in certain neighborhoods. We

talked to Chief Rudy Escalante who explained that the City does not actively deal with raccoon and skunk issues. Native Animal Rescue deals with orphaned and injured raccoons and skunks. You are on your own dealing with healthy, non-orphaned animals.

Most commonly they are looking for food and water. Their increased presence is probably a result of the challenges of the ongoing drought. Do not leave pet bowls outside where they will attract critters.

[Native Animal Rescue's website](#) contains many tips for dealing with problem animals of many species. Check it out. If all your attempts to solve your problem fail, their website lists approved Wildlife Control Companies who can deal with your problem animal in the most humane, effective and ethical way possible.

Zoning Update

by Nels Westman

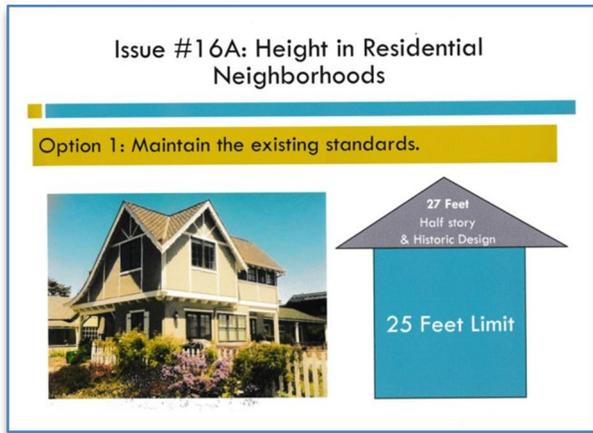
The update of Capitola's General Plan was completed last year. It set numerous goals and general directions to guide city decision makers for the next 20 years or so. Many of these goals and changes actually get implemented through the city's Zoning Code. As the old saying goes, "The devil is in the details" and there are lots of details in the Zoning Code.

The city is currently in the process of updating and changing its Zoning Ordinance. Some of the changes being considered which could significantly impact residents of Capitola include parking requirements, building height limits and size, set back requirements and rules for allowing secondary dwelling units in R-1 neighborhoods.

During the latter part of 2015 the Planning Department staff received a lot of input from the City Council, Planning Commission and the general public regarding the Zoning Code. They are now in the process of drafting an updated Code. The draft document is supposed to be available to the public sometime in early 2016. There will then follow several public hearings where you can make known your feelings about any changes to the current Code.

We will keep CVRA members posted when the draft becomes available and public hearings are scheduled.

In the meantime if you would like a fuller explanation of the updating process for the Zoning Code, see the City's [zoning code update](#).



Height limits are a major topic

The Pall in the Mall by Molly Ording

Both before, during and after the City Council's decision not to pursue the development of a new City Hall, park and parking structure on the current City Hall property and adjacent parking lots, many Capitola residents and members of the Capitola Village Residents' Association have been asking ... "why doesn't the City concentrate its efforts on developing the Mall to its full potential and pursue locating a hotel and housing on 41st Avenue adjacent to a newer, smaller, renovated and vibrant Mall?"



I have heard this question so many times of late and listened for years to disparaging comments and complaints about "our Mall" ... so I decided it was time to find some answers and some truths out about what really are the factors that have combined to make the Mall an increasingly aged and, for some, irrelevant place to visit and shop and who are the players involved who might be preventing a mall make-over and why?

The mall, including the large central connected core and the outer buildings, is actually owned by 5

different corporate entities: Macerich Corp., which owns the bulk of the interior space, Sears, Target and two other Real Property Corporations who own the former Marie Callender's site and the Ross/Chipotle buildings on the west side of the Mall. Each corporate entity has their own financial goals, management and business plans for their properties and, while they share in the overall mall maintenance, security and parking stock, what they also share in is potential veto power over the others' future plans and proposals.

One can understand that getting 5 different corporations with 5 different budgets, financial constraints and business plans to come together and agree on an over-all plan to improve or to liquidate a portion or the entire property has proven to be impossible thus far - not that the City of Capitola has not tried and continues to try!

With the understanding the City's leverage only begins when a project is brought forth, the City cannot dictate or mandate what private property and business owners can do with their property prior to the submission of project plans if they are operating consistent with their use permits. In 2009, the City had approved zoning changes to allow and encourage part of the parking areas for some redevelopment. Prior the dissolution of the Redevelopment Agency in 2011, the City of Capitola went to the Macerich Corporation with a plan, tenaciously worked out with the Metro Board, to move the Metro bus station to a location between Kohl's and Macy's in exchange for the City ear-marking \$1 million in redevelopment funds for public improvements toward that move. The intent of moving the transit center was to enable Macerich to upgrade and vastly improve the entrance and access to the Mall.

Finally, in 2014, Macerich came back to the City and the Metro Board saying that, even with the \$1 million in the City's Redevelopment Funds, it did not make financial sense for them to make those improvements and implement the beginnings of a mall renovation at that time. From the demise of the Redevelopment Agency in 2011, to the present day, the multiple owners have not been able to reach any consensus about any possible improvements or a potential change in use for any or all of the property. Now, City leaders do reach out to Macerich regularly and encourage them to pursue improvements with the

City's blessings but, as yet, they have not seen fit to make any moves.

A few developers have also approached the Mall property owners with a vision for a portion of the Mall to be replaced with housing as well as a hotel but, again, they have made no move in any direction, nor are they showing any inclination to do so! Additionally, when completing the City's General Plan Update in 2014, the City laid out a "Mall Envisioning" Plan signaling to the Mall owners the City's goals of a Mall renovation, renewal and rebirth! Again, no action on the part of the owners!

Meanwhile, the viability for profitable retail within many current aging malls, such as ours, is looking increasingly dire. Roughly 50% of the City's revenues come from sales taxes. The City has a huge incentive and imperative to encourage retail growth. Much of the remaining revenues come from property taxes and TOT (Transient Occupancy) taxes from hotels.

Locating a hotel within a smaller retail Mall footprint along with enhanced pedestrian spaces, dining options, as well as housing, would be the City's ideal scenario for this valuable and accessible piece of property. However, without consensus from the various owners and seemingly huge financial incentives, the sad reality is that nothing much may change in the near future for "our Mall." Pity... as there is such opportunity there for the City and County in terms of additional housing space and a hotel and for our residents who are weary of heading over the hill or to Marina and Monterey to browse, shop and dine in more modern, beautiful and energetic surroundings! Next month ... stay tuned! I was hoping for a chat and "mall walk" with the Macerich Mall Manager who would hopefully offer their perspectives and plans for "our Mall." I may do a "Mall Pall — Part 2" to learn a little more about the extent of the City's ability to move the Mall owners forward and the results of a hoped for meeting with Macerich!

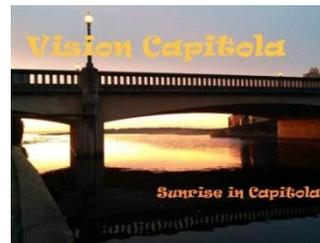
In the meantime, to end on a positive note, "5 Guys Burgers and Fries" will be opening in the next few weeks in the Former Carl's Jr. site in the front of the Mall. This is a very popular burger restaurant that has expanded rapidly to over 1,000 locations in 47 states — handcrafted burgers and fries! Hooray! A new and very popular addition to brighten your Capitola Mall experience!

VISION CAPITOLA PROJECT

by Nels Westman

As we enter a new year, a group of Capitola residents led by Gayle Ortiz has undertaken a grass roots effort to seek current input from the Capitola Community about what they love and value about Capitola and what they hope to see happen in their community in the next five to fifteen years. This project is called *VISION CAPITOLA*. The intent is to have broad community participation and to have the dialogue be as positive and forward thinking as possible. Every effort will be made to give all community members the opportunity to have their say. To keep this effort as "grass roots" as possible, the *VISION CAPITOLA* project will be independent from the City; organized and run by volunteers. All who attend will have an opportunity to speak.

The current plan is to have two Workshops on the evenings of April 20th and 27th. The first workshop will be devoted to listening to what the community has to say. The second workshop will work to create a framework of the most popular community values and to prioritize possible future city actions. The completed document will then be given to the City Council to help them in their ongoing work on behalf of their constituents.



A website is under construction and should be on line in February. It is www.visioncapitola.com. It will detail meeting schedules and will provide links to documents which the community may find useful. It will also enable you to provide input if you are unable to attend the workshops.

The CVRA will keep all its members completely up to date on meeting schedules and developments.

Join the CVRA!

As we head into a busy 2016 we encourage you to share with friends and neighbors the work of CVRA which is to serve as an unbiased conduit of information between city hall and the residents of the five traditional neighborhoods surrounding the Central Village of Capitola. CVRA membership is

absolutely free and is done via email only. Our email list is treated as confidential. We encourage you to pass the word and recommend that your friends and neighbors join. Besides, they get this great newsletter!

Additionally, for current members who have an interest in becoming more engaged with your neighbors, your city council members and some of your neighborhood community leaders, we have openings for Neighborhood Representatives in the Jewel Box and Upper Village neighborhoods. If you live in one of these neighborhoods and would like more information, [please let us know](#).

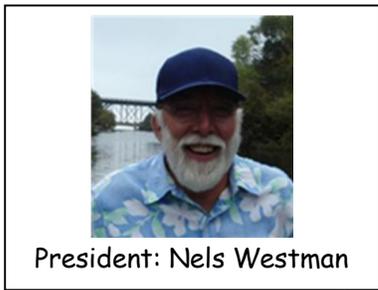


CVRA's Neighbors' Night Dinners



Don't worry, we'll continue having Neighbors' Night Dinners! Our goal is to help the local restaurants in the off-season and to help us meet and greet our neighbors. Watch for emails about upcoming Neighbors' Nights!

- Central Village Reps
 - Margaret Kinstler (mmkinstler@aol.com)
 - Linda Hanson (llhsf@sbcglobal.net)
 - Linda Wadley (tim.linda.123@gmail.com)
- Upper Village Reps
 - Ellen Miller
- Riverview Terrace Reps
 - Nels Westman (nels@bestwestman.com)
 - Janet Russell (jrussell@davidlyng.com)
- Depot Hill Reps
 - Molly Ording (mollyording@yahoo.com)
 - Katherine Parker
- Jewel Box Reps
 - You, maybe?



- Capitola Village Residents Association**
 Website: www.capitolaCVRA.org
 Email: capitolaCVRA@gmail.com
 President: Nels Westman
 Vice President: Margaret Kinstler
 Secretary: Ellen Miller
 Treasurer: Linda Hanson
 Membership Coordinator: Linda Hanson
 Newsletter Editor: Rich Diddy

UPCOMING CAPITOLA EVENTS

by Katherine Parker

January 21	7:00	Planning Commission*
January 28	7:00	City Council*
February 4	7:00	Planning Commission*
February 11	7:00	City Council*
February 24	4-7	Aptos & Capitola Business Showcase**
February 25	7:00	City Council*
March 3	7:00	Planning Commission*
March 10	7:00	City Council*
March 17	6-9	Capitola-Soquel Chamber Awards Celebration**
March 24	7:00	City Council*
March 26	11:00	Capitola Village Easter Egg Hunt**
April 7	7:00	Planning Commission*
April 14	7:00	City Council*
April 28	7:00	City Council*
May 5	7:00	Planning Commission*
May 12	7:00	City Council*
May 19	6-9	Capitola Art & Wine Festival Kickoff Party**
May 22	7am	Surfers' Path Marathon
May 26	7:00	City Council*

June through August look for the Twilight Concerts (Wednesday nights), Sunday Art and Music at the Beach, and Movies at the Beach (dates TBA)

June 2	7:00	Planning Commission*
June 4	9-5	Capitola Rod&Custom Classic Car Show
June 5	9-2	Car Show Continues (Contact: 462-3197)
June 9	7:00	City Council
June 18	6am	Surftech/Jay Moriarity Memorial Paddleboard Race

*City Meetings: Please call the City at 475-7300 or check their website to confirm meetings/locations. Their website also lists meetings of the following city sponsored committees: Museum Board, Art and Cultural Commission, Arch & Site Review, Committee on the Environment....

**These Events are sponsored by the Capitola-Soquel Chamber of Commerce. Please call them at 475-6522 or check their website to confirm.

This calendar is not a comprehensive list of all public events scheduled to take place in Capitola in 2016. Mistakes happen/things change...please be sure to confirm events before you go!