

# 41st Avenue guidelines scrapped

## City Council says proposals on land use not strict enough

By BOB SMITH

A major overhaul of Capitola's land use regulations for the 41st Avenue regional shopping area was rejected Thursday night by the Capitola City Council as not strict enough.

The city council will hold a study session Thursday at 7 p.m., to discuss what it wants to see in the 41st Avenue area.

The city has placed a moratorium on new development projects in the regional shopping center area for the past year while a study and the zoning ordinance overhaul were under way.

That moratorium was recently extended to the end of March with the expectation that the new zoning and architectural design regulations would then be in effect.

But city councilmen seemed unhappy last Thursday with the changes in the zoning ordinance and the development guidelines approved by the Planning Commission and presented to the council Thursday night for adoption.

"If this is the result of our moratorium," Mayor Ron Graves said, "I'm sorry we got into it."

Others had similar negative reactions.

The main complaint was that the regulations approved by the Planning Commission really did nothing towards narrowing the uses that will be allowed in the Community Commercial (CC) zone. The city council hired a consultant last year to analyze the regional shopping center, and recommend changes that would, over the long run, improve the area's viability.

The consultant's report, among other things, recommended overhauling the city's land use regulations and making regional shopping center uses the primary use for the area.

The Planning Commission's recommended overhaul did make department stores and other major retailers the "principal permitted uses" but it continued as "conditional uses" virtually every other existing use in the area, and added one

— convenience food stores like a "7-11" — that the council has repeatedly said it did not want to see proliferating in the area.

"Personally, I'm disappointed in what we have been presented," Graves told the other councilmen. "The design standards are a bunch of hokey."

"The whole thing is a waste of paper," Graves said.

Graves added that the city has a very real stake in seeing the

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regional shopping center thrive and grow.

"This is our single largest revenue source and it behooves us to enhance it," Graves pointed out.

Councilman Dennis Beltram, who has been the opponent of the 41st Avenue moratorium, tried once again to convince the other councilmen to lift the new development ban.

But he said he agreed with Graves. "We are not doing anything significantly different than what we already have."

But Councilman Bob Bucher, a builder, complained that the council wanted the design guidelines "too tight."

"The council wants the ordinance so tight that the Planning Commission won't have a job. We have to have some faith in the Planning Commission. Everything (except major retailers) is a conditional use and a conditional use is not an automatic approval. "It is up the Planning Commission and the Architectural and Site Review Committee to make the ordinance work. We can rewrite this ordinance until we run out of paper and we won't make it right," Bucher added.

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