

**REFLECTS CHANGES INCLUDING COASTAL
COMMISSION JUNE 1, 2016, PLANNING COMMISSION
COMMENTS JUNE-AUGUST 2016 AND PUBLIC
COMMENT
PER PLANNING COMMISSION REQUEST ONLY
ADDITIONS ARE SHOWN IN BLUE TEXT. DELETIONS
ARE NOT SHOWN.**

Chapter 23.90 LOCAL COASTAL PROGRAM IMPLEMENTATION

23.90.010 Purpose and General Provisions of the Coastal Implementation Plan

- A. **Purpose.** The purpose of this Chapter is to implement the City of Pacific Grove Local Coastal Program Land Use Plan, in accordance with the requirements of the California Coastal Act of 1976.
- B. **Applicability.** The regulations found in this chapter shall apply to all areas of the City of Pacific Grove located within the Coastal Zone as established by the State Legislature. All other procedures and standards in Title 23 including but not limited to General Provisions, Exceptions and Nonconforming Uses and Buildings, Community Development Permit Review Authorities and Procedures, and Historic Preservation are applicable in addition to the provisions of this Chapter unless otherwise stated in this Chapter.
- C. **Local Coastal Program Adoption.** This Chapter establishes the City of Pacific Grove Coastal Implementation Plan, serving to carry out the policies of the Land Use Plan and establishing the requirements for issuance of Coastal Development Permits. This Chapter is a component of the City of Pacific Grove Local Coastal Program. In case of conflict with any other applicable City policies or regulations, the Coastal Implementation Plan and Land Use Plan shall take precedence. Where the Coastal Implementation Plan and Land Use Plan are silent, other City policies and regulations shall be in force, but in no case shall such policies and regulations be used as a standard of review for Coastal Development Permits.
- D. **Coastal Zoning Districts.** Zoning districts are hereby established within the City’s Coastal Zone and the allowable uses and development standards are included herein. Coastal Zone districts are differentiated by the designation “(CZ).”

The following Land Use Plan land use designations and corresponding zoning districts are within the City’s Coastal Zone. The Chapter establishes allowable land uses, permit requirements, and development standards, including height limitations and setbacks from property lines, for each zoning district in the City’s Coastal Zone. The locations of each zoning district are shown on the Coastal Zoning Map.

Land Use Plan Designation	CZ Zoning District (s)
LDR 1-2 Low Density Residential	R-1-B-4
MDR 8-10 (MHP) Medium Density Residential for Mobile Home Park	MH
MDR 8-10 Medium Density Residential	<u>R-1</u>
MHD 10-20 Medium-High Density Residential	<u>R-3, R-3-PGR, R-3-PGB, R-3-M, R-4</u>
V-A Visitor Accommodation	R-3-M

V-C Visitor Commercial	C-1, C-V, C-V-ATC, <u>C-2</u> , R-3-M
SSC Sunset Service Commercial	SSC
OS-I Open Space Institutional	O, U
OS-R Open Space Recreational	O
RT Recreational Trail	O

- E. **Coastal Zoning Overlays.** The City establishes zoning overlays within this Chapter to protect valuable coastal resources, and land and development located within the overlay areas shall be subject to the additional regulation of this Chapter. The locations of each overlay are shown on the [Coastal Hazards, Scenic Resources, Land Habitat Sensitivity, Archaeologically Sensitive Areas and Coastal Parks, Trails and Resources](#) Overlay Maps.
 - F. **Agency Coordination.** The City shall work with other agencies as appropriate to implement the Local Coastal Program.
 - G. **Severability.** If any section, subsection, paragraph, sentence, clause, phrase, or other portion of this Chapter is for any reason held to be invalid or unenforceable by a court, such decision shall not affect the validity of the remaining portions of the Chapter.
 - H. **Jurisdiction.** The City's jurisdiction over Coastal Development Permits does not include tidelands, submerged lands, and public trust lands as described in Public Resources Code §30519(b) and described as areas of California Coastal Commission Permit Jurisdiction illustrated on the Local Coastal Program Post-Certification Permit and Jurisdiction Map as amended.
 - I. **Coastal Commission Authority.** The Coastal Commission retains authority over Coastal Development Permits issued by the Coastal Commission, including condition compliance. Where either new development or a modification to existing development is proposed on a site where development was authorized in a Coastal Commission-issued Coastal Development Permit, either prior to certification of the LCP, or through a de novo action on an appeal of a City-approved Coastal Development Permit and the permit has not expired or been forfeited, the applicant shall apply to the City for the Coastal Development Permit except for:
 1. Requests for extension, reconsideration, and revocation of the Coastal Commission-issued permits;
 2. Development that would lessen or negate the purpose of any specific permit condition, any mitigation required by recorded documents, any recorded offer to dedicate or grant of easement, or any restriction/limitation or other mitigation incorporated through the project description by the permittee of a Coastal Commission issued Coastal Development Permit.
- Note:** In any of these circumstances, the applicant must seek to file an application with the Coastal Commission for an amendment to the Coastal Commission-issued Coastal Development Permit and authorization for the proposed new development or modification to existing development. The Coastal Commission will determine whether the application for

amendment shall be accepted for filing pursuant to the provisions of Title 14 California Code of Regulations, Section 13166.

- J. Incomplete Applications at Certification.** Any proposed development within the City's Coastal Zone that is subject to the City's jurisdiction upon certification of the LCP and that the City preliminarily approved before effective certification of the Pacific Grove LCP, but for which a complete application has not been filed with the Coastal Commission for approval, shall be resubmitted to the City through an application pursuant to this Certified Local Coastal Program. The standard for review for such an application shall be the requirements of this Certified Local Coastal Program. Any application fee paid to the Coastal Commission shall be refunded to the applicant.
- K. Complete Applications at Certification.** Any proposed development within the certified area which the City preliminarily approved before effective certification of the Local Coastal Program and for which a complete application has been filed complete with the Coastal Commission may, at the option of the applicant, remain with the Coastal Commission for completion of review.
1. Coastal Commission review of any such application shall determine consistency with the Certified Local Coastal Program. Projects which elect to obtain a Coastal Development Permit from the Coastal Commission will remain under the jurisdiction of the Coastal Commission.
 2. Alternatively, the applicant may withdraw the application filed with the Coastal Commission and resubmit it to the City through an application pursuant to the requirements of this Certified Local Coastal Program. The standard of review for such an application shall be the requirements of this Certified Local Coastal Program.
 3. Upon effective certification of a Local Coastal Program, except as provided under (1) and (2) of this subsection, no applications for development shall be accepted by the Coastal Commission for- development within the certified area.
- L. Coastal Resources Protection.** All development standards applied within the Coastal Zone shall be implemented in a manner that best protects coastal resources, consistent with the Local Coastal Program policies and the intent and provisions of the Coastal Act. Site specific biological resources, archaeological, visual, geologic, water quality, and hazards constraints may limit development to less than the development potential listed for the zoning districts.

23.90.020 Definitions

A. Definitions

"Abutting property". A legal lot or parcel of land that shares all or part of a common lot line with another legal lot or parcel of land.

"Accessory structure" ("accessory building").- Structures that are customarily incidental to, related to, and clearly subordinate to principal allowed uses and structures located on the same premises, such as parking facilities, restrooms, etc.

"Accessory use". A use of land or building, or portion thereof, that is customarily incidental to, related to, and clearly subordinate to a primary use of the land or building located on the same premises, however:

"Adverse Effect" (on environmentally sensitive habitat). Any significant disruption of the habitat values, any significant degradation of habitat areas, any significant disturbance to individual occurrences of

protected plant or animal species, and anything incompatible with the continuance of environmentally sensitive habitat.

“Adverse Effect” (on visual resources). Development that impacts views to and along the ocean and scenic coastal areas from public roads and viewing points, alters natural landforms, and/or conflicts with the character of surrounding areas.

“Adverse Effect” (on wetland). Development in a wetland that is not an allowed use in a wetland and/or development which would degrade the ability of a wetland or marine resource to sustain and maintain its biological productivity (healthy populations of all species of marine organisms) and ability to provide a long-term commercial, recreational, scientific, and educational purpose.

“Appeal Area” (“Appealable Coastal Development Permit”). After certification of the Local Coastal Program, an action taken by the City on a Coastal Development Permit application may be appealed to the California Coastal Commission for only the following types of developments:

1. Developments approved by the City between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
2. Developments approved by the City not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands; within 100 feet of any wetland, estuary, or stream; or within 300 feet of the top of the seaward face of any coastal bluff.
3. Developments approved by the City not included within paragraph (1) or (2) that are located in a sensitive coastal resource area (i.e. the Asilomar Dunes Residential Area and the Asilomar Conference Grounds).
4. Any development which constitutes a major public works project or a major energy facility as defined in this Chapter. The phrase "major public works" or a "major energy facility" as used in Public Resources Code §30603(a)(5) and in these regulations shall mean: any proposed public works project or energy facility, as defined by Section 13012 of the Coastal Commission Regulations and the Coastal Act.

“Area of Special Biological Significance” (ASBS). A specific area of ocean and/or bay waters designated by the California Water Quality Control Board that protects the water quality and supports an unusual variety of aquatic life, and often host unique individual species.

“Armor”. To fortify a topographical feature to protect it from erosion (e.g., constructing a wall to armor the base of a sea cliff), or to construct a feature (e.g., a seawall, revetment, dike, or levee) to protect other resources (e.g., development or agricultural land) from flooding, erosion, or other hazards. The term soft armoring refers to a non-permanent, relatively short-term armoring (e.g., temporary sand bags, vegetated berms). [See definition for soft-armoring.](#)

B. Definitions

“Base Flood”. means a flood having a 11 percent chance of being equaled or exceeded in any given year (also called “100-year flood”).

“Best Available Science”. The most current, generally accepted, data-driven information, as refined to be most applicable to the local circumstances and conditions, and considering a range of plausible impacts based on multiple time scales, emissions scenarios, or other factors developed to inform further decision-making regarding the range of impacts and vulnerabilities.

“Best Management Practices (BMPs)”. The methods, measures, and practices selected and designed to reduce or eliminate pollutants in storm water runoff, and/or to minimize changes in runoff flow characteristics resulting from development.

“Biological Sensitivity Area”. A part of the natural environment, typically qualifying as environmentally sensitive habitat, with heightened vulnerability to negative and/or stressful influences on biological resources and including those areas designated as “extreme,” “high,” or “moderate” on the Land Use Plan map.

“Building coverage” means the portion of a site which is covered by the fully enclosed portion of all buildings larger than 120 square feet, as well as by open carports. Building coverage is expressed as a percentage. In determining building coverage, the following shall not be counted: eaves and/or cantilevered portions of buildings, decks, open porches, and open stairways and landings.

C. Definitions

“Certified Area”. Area within the Coastal Zone covered by a Local Coastal Program that has been approved (certified) by the California Coastal Commission. After the Coastal Commission certifies a Local Coastal Program submitted by a local government, the authority to issue coastal development permits (CDPs) for new development not in the Commission’s original permit jurisdiction is delegated to the local government.

“Climate Change”. Any long-term change in average climate conditions in a place or region.

“Clustered development”. The grouping of residential properties on a development site in order to use the extra land as open space, recreation or agriculture.

“Coastal Act”. The California Coastal Act of 1976, California Public Resources Code §30000 et seq., as amended.

“Coastal beach” means the land between the edge of the sea and the first line of terrestrial vegetation or development or the toe of an adjacent sensitive coastal bluff or seawall, whichever is most seaward.

“Coastal Bluff” (or Cliff). A scarp or steep face of rock adjacent to the bay or ocean and meeting 1 of the following 2 parameters:

1. The toe is now or was historically (generally within the last 200 years) subject to marine erosion.
2. The toe of which lies within an area otherwise identified in Public Resources Code §30603(a)(1) or (a)(2).

Bluff line or edge shall be defined as the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge. The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the inland facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations.

“Coastal Dependent Use”. Any development or use which requires a site on, or adjacent to, the [ocean](#) to function.

“Coastal [hazard](#)”. Including, but not limited to, episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, coastal flooding, landslides, bluff and geologic instability, and the interaction of same, and all as impacted by sea level rise.

“Coastal Development Permit” or [“Coastal Permit”](#). A permit granted for development undertaken in the Coastal Zone in compliance with the California Coastal Act and the Local Coastal Program, and which authorizes development and a specific use of land on a specific site when found to be consistent with the policies and standards of the Local Coastal Program (and Coastal Act if applicable), subject to compliance with any conditions of approval imposed on the permit.

“Coastal Related Use” (“Coastal-Related Development”). Any use that is dependent on a coastal-dependent development or use.

“Coastal resources”. [A general term used to refer to those resources addressed in Chapter 3 of the California Coastal Act, including beaches, wetlands, agricultural lands, and other coastal habitats; certain types of coastal development; public access and recreation opportunities; cultural, archaeological, and paleontological resources; and scenic and visual resources.](#) Coastal resources include but are not limited to public access and public access facilities and opportunities, recreation areas and recreational facilities and opportunities (including for recreational water-oriented activities), lower-cost visitor serving facilities (including lower cost accommodations), coastal-dependent and coastal-related uses, public views, natural landforms, marine resources, watercourses (e.g., rivers, streams, creeks, etc.) and their related corridors, water bodies (e.g., wetlands, estuaries, lakes, etc.) and their related uplands, groundwater resources, biological resources, environmentally sensitive habitat areas, agricultural lands and archeological and paleontological resources.

“Coastal Zone”. That land and water area of the State of California from the Oregon border to the border of the Republic of Mexico, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting this division, extending seaward to the state’s outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or [5](#) miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards. The Coastal Zone does not include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, nor any area contiguous thereto, including any river, stream, tributary, creek, or flood control or drainage channel flowing into such area.

D. Definitions

“Demolition”. To tear down or remove.

[“Designated”](#). Officially assigned a specified status or ascribed a specified name or quality to.

“Development”. The term “development” is a term defined in Coastal Act and is synonymous with “new development.” The term is broadly defined to include (among others) proposed construction of buildings, divisions of land. Specifically, in compliance with Public Resources Code §30106, “development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; [construction, reconstruction, demolition, or alteration in the size of any structure, including any facility of any private, public, or municipal utility](#); change in the density or intensity of use of land, including subdivision in compliance with the Map Act, and any other division of land, except where the land division is brought

about in connection with the purchase of the land by a public agency for public recreational use; change in the intensity of use of water, or of access to water; and the removal or harvesting of major vegetation other than for agricultural purposes, and kelp harvesting. See also "Redevelopment."

"Director": The City of Pacific Grove Community and Economic Development Director.

E. Definitions

"Emergency Work". Construction or repairs required in response to a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services, generally requiring attention too quickly to allow for normal permitting timeframes.

"Environmentally Sensitive Habitat Area". ("ESHA"). Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Public Resource Code §30107.5).

F. Definitions

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

"Flood" (or "Flooding"). Refers to normally dry land becoming temporarily covered in water, either periodically (e.g., tidal flooding) or episodically (e.g., storm or tsunami flooding), including in relation to sea level rise.

"Floor area". See "Gross Floor Area."

G. Definitions

"Gross floor area" means the total enclosed areas of all floors of buildings greater than 120 square feet, plus carports, where the ceiling is at least 7 feet tall. In calculating gross floor area, buildings shall be measured to the outside surface of exterior walls, and carports to the outside surfaces of supporting posts. Gross floor area is expressed in square feet.

1. In determining gross floor area, the following shall be counted:

- a. Covered and fully enclosed porches, regardless of whether conditioned/unconditioned;
and
- b. Mezzanines, hallways, breezeways, and corridors.

2. In determining gross floor area, the following shall not be counted:

- a. Accessory structures less than or equal to 120 square feet;
- b. Covered open, or partially open, porches;
- c. Those portions of cellars/basements where the ceiling is not more than ~~two~~ 2 feet above finish grade at any point;
- d. Eaves and/or cantilevered portions of buildings;

e. Garden structures.

3. In determining gross floor area, the following provisions shall also apply:

- a. Areas with an interior finished height that is greater than 16 feet shall be counted twice, with the exception of interior stairways that are less than than 8 feet wide.
- b. If required covered parking is not provided, the allowed gross floor area shall be reduced by the equivalent square footage

H. Definitions

"Habitat, degraded" means a species-specific habitat or ecosystem that has been adversely altered from its natural state such that reduced survival and/or reproductive success in a population results.

"Hazard". See definition of "Coastal Hazard".

"Height" means the vertical distance from any point on the top of a structure to a line connecting grades on opposite sides of a structure's exterior. If finished, natural, or existing grades are different at the structure's exterior, the lowest of these is used in applying this definition.

"Historic resources inventory" means:

- 1. The list of existing structures initiated in 1978 through a matching grant from the State Office of Historic Preservation and adopted by the city of Pacific Grove. The list was updated by the Heritage Society and the city of Pacific Grove to include structures built prior to 19274; and
- 2. Other properties determined by the historic resources committee to be of architectural and/or historical significance.

I. Definitions

"Implementation Plan (IP)". Includes land use zoning and other implementing ordinances that conform with and carry out the Land Use Plan. Effective zoning ordinances and procedures ensure that the objectives of the Land Use Plan are achieved.

L. Definitions

"Land Use". The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

"Land Use Plan" ("LUP"). The Land Use Plan is defined as the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions (Public Resource Code §30108.5)

"Local Coastal Program" ("LCP"). An LCP is defined as "a local government's land use plans, zoning ordinances, zoning district maps, and, within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of [the Coastal Act] at the local level" (Public Resource Code §30108.6).

"Lodging".

1. "Bed and breakfast inn" means the use of a residential property for commercial lodging purposes, where there are at least 8 rooms available to guests and where the principal buildings were constructed at least 75 years prior to the date of application for the use.
2. "Hotel" means any building or portion thereof containing 6 or more guest rooms used, designed or intended to be used, let or hired out to be occupied by transients, and having 1 principal entryway or entrance, a lobby, or other public room.
3. "Motel" means any building or portion thereof containing 6 or more guest rooms used, designed or intended to be used, let or hired out to be occupied by transients, and having dwelling units or guest rooms some or all of which have a separate entrance leading directly from the outside of the building.
4. "Automobile court, cottage court, or motor lodge" means an establishment designed for or used primarily for the accommodation of transient automobile travelers or other transient guests and having dwelling units or guest rooms some or all of which have a separate entrance leading directly from the outside of the building.

"Lot coverage": Residential buildings, driveways, patios, decks, and any other features that cover dune areas shall count as lot coverage for properties within the Asilomar Dunes Residential Area. Permeable surfaces are allowed in Immediate Outdoor Living space and shall not count as lot coverage.

M. Definitions

"Major critical public infrastructure" The primary components of energy facilities and public works facilities (as defined by Coastal Act Sections 30107 and 30114, respectively) (e.g. sewer force mains and lift stations, electrical transmission towers and substations, gas transmission lines, and potable water transmission lines, wells, and pumping infrastructure). Individual connections would not be considered major unless connected to a critical facility, such as a hospital. Non-potable water transmission lines are not considered critical public infrastructure.

"Major energy facility". Any energy facility as defined by Public Resources Code §30107 and Title 14 California Code of Regulations Section 13012, and exceeding one hundred thousand dollars in estimated cost of construction with annual increases in accordance with the Engineering News Record Construction Cost Index.

"Major public works project". Any public works project as defined by Public Resources Code Section 30114 and Title 14 California Code of Regulations §13012 and exceeding one hundred thousand dollars in estimated cost of construction with annual increases in accordance with the Engineering News Record Construction Cost Index.

"Major structural components". The components that hold a structure upright, including the foundation, floor framing, exterior wall framing and roof framing of a structure.

"Major vegetation". All Gowen Cypress regardless of size; Coast Live Oak, Monterey Cypress, Shore Pine, Torrey Pine, Monterey Pine 6 inches or greater in trunk diameter measured 54 inches above grade.

"Marine Resource". The ocean waters, lifeforms, and naturally occurring non-living physical and chemical components of the ocean waters.

"Mean High Tide Line". The ambulatory line on the beach (contour lines) represented by the intersection of the beach face and the elevation represented by the average of all high tides (higher

high tides and lower high tides) occurring over a 19-year period. The mean high tide elevation should be represented by the most recent 19-year tidal epoch as established by the National Oceanic and Atmospheric Administration. .

“Mean Sea Level”. The average relative sea level over a period, such as a month or a year, long enough to average out transients such as waves and tides. Relative sea level is sea level measured by a tide gauge with respect to the land upon which it is situated. Local tide levels are calculated using the Monterey Tide Gage (NOAA Station 9413450).

“Minor Development” means a project that is not listed as exempt from permit requirements but is determined by the director to have no potential for adverse effects on coastal resources or public access to the shoreline, either individually or cumulatively, and to be consistent with the certified LCP.

“Mobile home” means a vehicle other than a motor vehicle used as semi-permanent housing designed for human habitation and containing a minimum of 400 square feet of floor space.

“Mobile home park” means an area of land not less than 5 acres in size containing facilities to accommodate semi-permanent mobile homes.

N. Definitions

“Natural Hazard Area”. A zone subject to naturally occurring events that may have a negative effect on people or the environment.

“Natural Hazards Overlay”. A special district identified for the application of guidelines and standards in order to protect citizens and property from anticipated naturally occurring events.

“Non-conforming structure/use” (“legal non-conforming structure/use”). A structure or use that was legally permitted in conformance with all applicable laws in effect at the time, but does not conform with all applicable current codes, standards, and/or Local Coastal Program policies and standards.

P. Definitions

“Pacific Grove Retreat” or (“Retreat”). The area located between Pacific Street to the west and Dewey Avenue at the east, and north of Central Avenue (the boundaries extend to Lighthouse Avenue beyond the designated Coastal Zone).

“Projected inundation level”. The mean elevation of dry land becoming permanently submerged.

“Projected sea level”. Anticipated mean sea level at some defined future moment in time.

“Public access”. The right or privilege of citizens to visit an area or resource.

“Public scenic view” (“public views”): Views as seen from public viewing areas such as highways, roads, beaches, parks, coastal trails and accessways, vista points, and coastal streams and waters used for recreational purposes. A public scenic view, public scenic viewing area or public scenic viewshed includes those areas identified as scenic areas as mapped on the LCP Land Use Plan maps. See also “Public scenic viewing area” and “scenic vista.”

“Public scenic viewing area” (“Public viewing area”). A location along public highways, roads, beaches, parks, coastal trails and accessways, vista points, and coastal streams and waters where there are scenic views of the beach and ocean, coastline, dunes and other unique natural features or areas. A public scenic view, public scenic viewing area or public scenic viewshed includes those areas

[identified as scenic areas as mapped on the LCP Land Use Plan maps. See also “Public scenic view” and “Scenic vista.”](#)

R. Definitions

[“Redevelopment”. A structure shall be considered redeveloped, when such development consists of alteration of 50% or more of the major structural components, including exterior walls, floor and roof structure, and foundation, of such development.](#)

“Revetment”. A sloped retaining wall; a facing of stone, concrete, blocks, rip-rap, etc. built to protect an embankment, bluff, or development against erosion by wave action and currents. (See also Seawall, Shoreline protective devices).

S. Definitions

“Sand Dune Scrub”. Vegetation dominated by low, woody plants found on ridges of sand created by wind.

“Scenic Sensitivity Area”. Highly scenic areas from public viewing points. [\(See also Sensitive Coastal Resource Areas\).](#)

[“Scenic Vista”. A viewpoint that provides expansive views of a highly valued landscape. \(See also “Public scenic view” and “Public scenic viewing area.”\)](#)

“Sea Level Rise”. Gradual and long-term elevation of sea level, both globally and locally, due to (a) changes in the shape of the ocean basins, (b) changes in the total mass of water and (c) changes in water density. Factors leading to sea level rise under global warming include both increases in the total mass of water from the melting of land-based snow and ice, and changes in water density from an increase in ocean water temperatures and salinity changes. Relative sea level rise occurs where there is a local increase in the level of the ocean relative to the land, which might be due to ocean rise and/or land level subsidence.

“Seawall”. A structure separating land and water areas, primarily designed to prevent erosion and other damage due to wave action. It is usually a vertical wood or concrete wall as opposed to a sloped revetment. (See also Revetment, Shoreline protective devices).

“Sensitive Coastal Resource Areas”. An area in which the coastal resources, including scenic qualities and the views of scenic landscapes and/or biological resources are considered especially valuable.

[“Shall”. Denotes a requirement that is mandatory whenever the criterion for conformance with the specification requires that there be no deviation.](#)

“Shoreline Protective Device”. A broad term for constructed features such as seawalls, revetments, riprap, earthen berms, cave fills, deep piers/caissons, and bulkheads that block the landward retreat of the shoreline and are used to protect structures or other features from erosion and other hazards. (See also Seawall).

[“Should”. Denotes a guideline or recommendation.](#)

[“Significant environmental impact” \(“significant adverse impact on the environment”\). A substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be](#)

considered in determining whether the physical change is significant. (CEQA Guidelines, 14 California Code of Regulations §15382).

“Site Coverage”. The sum of building coverage plus areas covered by impervious surfaces. Site coverage is expressed as a percentage.

1. In determining site coverage, the following shall be counted:

- a. Sand-set bricks and/or pavers, paving and/or flagstones, asphalt, concrete, mortared brick and stone, and decomposed granite;
- b. Open porches; and
- c. All accessory structures not already counted towards building coverage.

2. In determining site coverage, the following shall not be counted:

- a. Four hundred square feet of any driveway, except for portions that serve as required parking space(s) or which occupy a required side yard;
- b. Sixty square feet of walkway, stoop, landing, stairway and/or steps in the front yard on building sites which are 50 feet or more in width;
- c. Turf block driveways and walkways and other pervious surfaces, unless covered; and eaves and/or cantilevered portions of buildings.

“Social well-being.” Social well-being is an end state in which basic human needs (water, food, shelter,) are met and people are able to coexist peacefully in communities with opportunities for advancement.

“Soft armoring”. Refers to the use of natural or “green” infrastructure like beaches, dune systems, wetlands, and other systems to buffer coastal areas. Strategies like beach nourishment, dune management, or the construction of “living shorelines” capitalize on the natural ability of these systems to protect coastlines from coastal hazards while also providing benefits such as habitat, recreation area, more pleasing visual impacts, and the continuation or enhancement of ecosystems.

“Special Community”. An area that due to its unique characteristics are an important resource to the community and make the area a popular destination for visitors consistent with the intent of Public Resources Code §30253(e).

“Structure”. Any development constructed or erected with a fixed location on the ground, or attached to something with a fixed location on the ground. Landscaping on the lot is also considered to be a part of the structure.

T. Definitions

“Tidelands”. All lands which are located between the lines of mean high tide and mean low tide.

V. Definitions

“Viewshed”. means areas within the foreground and background as seen by the public from public vantage points, the shoreline and ocean.

“Visual Access”. means views from public vantage points, to and along the shoreline and to areas identified for their highly scenic and visual qualities.

“Vulnerability Assessment”. A practice that identifies who and what is exposed and sensitive to change, and how a given system is able to cope with extremes and change. It considers the factors that expose and make people or the environment susceptible to harm. Vulnerability assessments also explore natural and financial resources available to cope and adapt to change, including the ability to self-protect, external coping mechanisms, support networks, and so on.

W. Definitions

“Wetland”. [Defined by §30121 of the Coastal Act as](#) lands within the Coastal Zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. The definition of wetland is further detailed by §13577 (b)(1) of the California Code of Regulations as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

“Width” [means that dimension of a lot which fronts on a street. In the case of frontage on more than 1 street, it refers to the lesser dimension.](#)

“Wireless telecommunications facility” [means antennas and towers, either individually or together, and associated equipment and structures used for wireless telecommunications purposes. Includes commercial radio, television antennas, and commercial communication transmitters or towers.](#)

23.90.030 Coastal Development Permit Processing Procedures

This section provides procedures for the processing, filing, review, noticing, and action of all applications for development in the Pacific Grove Coastal Zone. This chapter serves to implement the City’s Local Coastal Program (LCP) in a manner consistent with the requirements of the California Coastal Act and all associated State regulations. This chapter contains requirements for coastal permits to ensure that development projects in the coastal zone are consistent with the City’s Land Use Plan (LUP) and Implementation Plan (IP), which together constitute the City’s Local Coastal Program (LCP).

A. Permit Required. All activities that constitute development within the coastal zone require a coastal permit except as specified in Section [23.90.040](#) (Coastal Permit Exemptions). Development is defined as any of the following, whether on land or in or under water:

1. The placement or erection of any solid material or structure;
2. Discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste;
3. Grading, removing, dredging, mining or extraction of any materials;
4. Change in the density or intensity of use of land, including, but not limited to, subdivisions, and any other division of land, including lot splits, except where the land division is brought

about in connection with the purchase of such land by a public agency for public recreational use;

5. Construction, reconstruction, demolition or alteration in the size of any structure, including any facility of any private, public or municipal utility;
6. The removal or harvesting of major vegetation.

B. Review Authority.

1. The Planning Commission shall take action on all coastal permit applications (except as provided for in Section [23.90.040](#)).
2. Development authorized by a Coastal Commission-issued coastal permit remains under the jurisdiction of the Coastal Commission for the purposes of condition compliance, amendment and revocation. Any additional development proposed on a parcel with a Coastal Commission-issued coastal [development](#) permit shall be reviewed by the City pursuant to an application for a new coastal [development](#) permit, provided that the Coastal Commission determines that the development is not contrary to any terms or conditions of the Commission-issued permit.

C. Additional Permits. The review of a coastal permit application shall be processed concurrently with any other discretionary permit applications required by the City. The City may not grant any discretionary approval for a proposed project that conflict with this chapter. Discretionary approvals become effective only after a coastal permit is approved as required by this chapter.

D. Illegal Development and Permitting Processes. Development that occurred after the effective date of the Coastal Act of 1976 (or the Coastal Initiative of 1972, whichever is applicable) and that did not receive a coastal permit or was not otherwise authorized under the Coastal Act, is not lawfully established or authorized development. No improvements, repair, modification, or additions to such existing development may be approved unless a coastal [development](#) permit is approved that authorizes the existing development, and any potential violations are abated. The coastal permit shall only be approved if the existing and proposed development is consistent with the policies and standards of the City's LCP.

23.90.040 Coastal Permit Exemptions

The following projects are exempt from the requirement to obtain a coastal [development](#) permit.

A. Existing Single-Family Residences. In accordance with PRC §30610(a) and 14 CCR §13250, improvements to an existing single-family residence, including fixtures and structures directly attached to a residence, landscaping, and structures normally associated with a single-family residence, such as garages, swimming pools, fences and storage sheds. This exemption **does not** include:

1. Improvements to a single-family residence if the residence and/or improvement is located on a beach, in a wetland, seaward of the mean high-tide line, within an environmentally sensitive habitat area including all improvements within the Asilomar Dunes Residential Area and Asilomar Conference Grounds, in an area designated highly scenic in the LCP, or within 50 feet of the edge of a coastal bluff.
2. Any significant alteration of land forms including removal or placement of vegetation on a beach, wetland, or sand dune, within 50 feet of the edge of a coastal bluff, or within an environmentally sensitive habitat area.

3. The expansion or construction of water wells or septic systems.
4. Guest houses or self-contained residential units.
5. On property not included in Subparagraph A.1 above that is located between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas as designated by the Coastal Commission, when one of the following circumstances apply:
 - a. Improvement that would result in an increase of 10 percent or more of internal floor area of an existing structure; or
 - b. An additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to this section; or
 - c. An increase in height by more than 10 percent of an existing structure and/or
 - d. Any significant non-attached structure such as garages, fences, shoreline protective works or docks.
6. Any improvement to a single-family residence where the coastal permit issued for the original structure by the Coastal Commission or City indicated that any future improvements would require a coastal permit.

B. Other Existing Structures. In accordance with PRC §30610(b) and 14 CCR §13253, improvements to an existing structure, other than a single-family residence or public works facility, including landscaping and fixtures and other structures directly attached to the structure. This exemption **does not** include:

1. Improvements to a structure if the structure and/or improvement is located on a beach; in a wetland, stream, or lake; seaward of the mean high-tide line; in an area designated highly scenic in the LCP; or within 50 feet of the edge of a coastal bluff.
2. Any significant alteration of land forms including removal or placement of vegetation, on a beach or sand dune; in a wetland or stream; within 100 feet of the edge of a coastal bluff, in a highly scenic area, or in an environmentally sensitive habitat area.
3. The expansion or construction of water wells or septic systems.
4. On property not included in subparagraph B.1 above that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas as designated by the Coastal Commission, when one of the following circumstances apply:
 - a. Improvement that would result in an increase of 10 percent or more of internal floor area of an existing structure;
 - b. An additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to this section;

- c. An increase in height by more than 10 percent of an existing structure or any significant non-attached structure such as garages, fences, shoreline protective works or docks.
 5. Any improvement to a structure where the coastal permit issued for the original structure by the Coastal Commission or City indicated that any future improvements would require a coastal permit.
 6. Any improvement to a structure which changes the intensity of use of the structure.
 7. Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including, but not limited to, a condominium conversion, stock cooperative conversion or motel/hotel timesharing conversion.
- C. Maintenance Dredging of Navigation Channels.** In accordance with PRC §30610(c), maintenance dredging of existing navigation channels or moving dredged material from those channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.
- D. Repair or Maintenance Activities.** In accordance with PRC §30610(d) and 14 CCR §13252, repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities. This exemption **does not** include:
1. Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
 - a. Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
 - b. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;
 - c. The replacement of twenty percent or more of the exterior materials of an existing structure with materials of a different kind; or
 - d. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within twenty feet of coastal waters or streams.
 2. Any method of routine maintenance dredging that involves:
 - a. The dredging of 100,000 cubic yards or more within a 12-month period;
 - b. The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams; or
 - c. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.

3. Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area (including the Asilomar Dunes Residential Area and Asilomar Conference Grounds), any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:
 - a. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials.
 - b. The presence, whether temporary or permanent, of mechanized equipment or construction materials.
4. The provisions of the Section shall not be applicable to those activities specifically described as exempt from coastal permit requirements in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on September 5, 1978. These projects shall be exempt from obtaining a coastal permit unless a proposed activity will have a risk of substantial adverse impact on public access, environmentally sensitive habitat areas, wetlands, or public views to the ocean.
5. Unless destroyed by natural disaster, the replacement of 50 percent or more of a single family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any other structure that is not repair and maintenance under Coastal Act Section 30610(d) but instead constitutes a replacement structure requiring a coastal permit.

E. Replacement of Destroyed Structures. The replacement of any structure, other than a public works facility, destroyed by a disaster, [shall be allowed subject to the following conditions](#). The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure, [including legal non-conforming structures](#), by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure. [If current zoning requirements would not allow the structure at the original location or at the previous size, the City may permit an equivalent structure at an alternative location if findings are made that the re-location is for the purpose of protecting coastal resources or reducing impacts of coastal hazards; however, in this case no enlargement will be permitted, and a reduction of up to 10 percent may be required by the City if necessary to better achieve consistency with coastal policies.](#) As used in this section, "disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner; "bulk" means total interior cubic volume as measures from the exterior surface of the structure; and "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

F. Temporary Events. Temporary events as defined in this section and which meet all of the following criteria:

1. [Will be of less than 2 days](#) in duration including setup and take-down; and
2. The event will not occupy any portion of a publicly or privately owned sandy beach or park area, public pier, public beach parking area and there is no potential for adverse effect on sensitive coastal resources; and
3. A fee will not be charged for general public admission and/or seating where no fee is currently charged for use of the same area (not including booth or entry fees); or if a fee is charged, it is for preferred seating only and more than 75 percent of the provided seating capacity is available free of charge for general public use; and

4. The proposed event has been reviewed in advance by the City and it has been determined that it meets the following criteria:
 - a. The event will result in no adverse impact on opportunities for public use of or access to the area due to the proposed location and or timing of the event either individually or together with other development or temporary events scheduled before or after the particular event;
 - b. There will be no direct or indirect impacts from the event and its associated activities or access requirements on environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources;
 - c. The event has not previously required a coastal permit to address and monitor associated impacts to coastal resources.

G. Emergency Work. Immediate emergency work necessary to protect life or property, or immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

23.90.050 Challenges to City Determinations

The determination of whether a development is exempt, non-appealable, or appealable for purposes of notice, hearing, and appeals procedures shall be made by the [Director](#) at the time the coastal permit application for development is submitted or as soon thereafter as possible, and in all cases prior to the application being deemed complete for processing. This determination shall be made with reference to the certified Local Coastal Program, including any maps, land use designations and zoning ordinances which are adopted as part of the Local Coastal Program. Where an applicant, interested person, or the [Director](#) has a question as to the appropriate designation for the development, the following procedures shall establish whether a development is exempt, non-appealable, or appealable:

- A. **Determination.** The [Director](#) shall make its determination as to what type of development is being proposed and shall inform the applicant of the notice and hearing requirements for that particular development (i.e., exempt, appealable, non-appealable).
- B. **Challenge.** If the determination of the local government is challenged by the applicant or an interested person, or if the [Director](#) wishes to have a [Coastal Commission](#) determination as to the appropriate designation, the [Director](#) shall notify the Commission by telephone of the dispute/question and shall request a [Coastal Commission](#) Executive Director's opinion;
- C. **Transmittal.** The Executive Director shall, within 2 working days of the request (or upon completion of a site inspection where such inspection is warranted), transmit his or her determination as to whether the development is exempt, non-appealable or appealable;
- D. **Hearing.** Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the [Director's](#) determination, the Commission shall hold a hearing for purposes of determining the appropriate designation for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting (in the appropriate geographic region of the state) following the Community Development Department request.

23.90.060 Application Submittal

- A. **Contents.** Coastal [development](#) permit application submittals shall include all the information and materials required by the Community Development Department. It is the responsibility of the applicant to provide evidence in support of the findings required by Section [23.90.080](#) (Findings for Approval). The application and accompanying materials shall be filed with the City before or concurrent with an application for any land use permit required by this Article. The Coastal Permit application shall include, at a minimum:
1. Project plans and supporting materials sufficient to determine whether the project complies with all relevant policies of the Local Coastal Program;
 2. Documentation of the applicant's legal interest in all the property upon which work is proposed to be performed. The area subject to the Coastal Permit may include such contiguous properties where the Director finds that necessary to achieve the requirements of the Local Coastal Program. The area covered by a proposed project may also include multiple ownerships;
 3. A dated signature by or on behalf of each of the applicants, attesting to the truth, completeness and accuracy of the contents of the application and, if the signer of the application is not the applicant, written evidence that the signer is authorized to act as the applicant's representative and to bind the applicant in all matters concerning the application; and
 4. Any additional information deemed by the Director to be required for specific categories of development or for development proposed from specific geographic areas.
- B. **Concurrent with other permits.** Application for a coastal permit shall be made concurrently with application for any other permits or approvals required by the Zoning Code.
- C. **City Determination.** At time of submittal of coastal permit application, the City shall make a determination of whether the development is exempted, appealable, or non-appealable in accordance with Section [23.90.100](#). The determination shall be sent to the applicant, the Coastal Commission, and any known interested parties.

23.90.070 Public Notice and Hearing

- A. **Hearing Body Review.** The Planning Commission shall review and act on a coastal permit application at a noticed public hearing. However, processing at levels other than the Planning Commission shall apply in the following cases:
1. City Council Review. The proposed development requires other discretionary permit approvals to be reviewed and acted upon by the City Council, in which case the coastal permit application will be reviewed and acted on by the City Council; or
 2. Minor Development. The City may waive the public hearing requirement for development that qualifies as "minor development". Such development shall require no other discretionary approval by the City. A public hearing may be waived if the project has no potential for adverse effects on coastal resources or public access to the shoreline, is consistent with the certified LCP, and if the following apply:
 - a. Notice that a public hearing would be held upon request is sent to all persons who would otherwise be required to be notified of a public hearing and any other persons who have shown interest;

- b. No request for a public hearing is received within fifteen working days from the date notice was mailed out; and
- c. The notice discloses that the failure to request a public hearing triggers the loss of appeal power on the matter being considered for administrative approval.

B. Noticing. Permit applications shall be noticed at least 10 days prior (15 working days for minor development applications) to a hearing or action on the proposed project by posting notice in at least 1 location that is conspicuously visible to the general public (and as many locations as necessary to ensure that the public is appropriately provided notice) on or adjacent to the property which is the subject of the permit, and by mailing notice to:

1. The owner(s) or owner's agent of all properties for which development is proposed, the applicant, and any applicant representatives;
2. Each local agency expected to provide essential facilities or services to the project;
3. Any person who has filed a request for notice (e.g., for the site, for the particular development, for the type of development, development in general) with the Director;
4. All owners and all occupants of parcels of real property located within 100 feet (not including roads) of the perimeter of the real properties on which the development is proposed, but at a minimum all owners of real property adjacent to the properties on which the development is proposed.
5. All agencies for which an approval for the proposed development may be required.
6. All known interested parties.
7. The Coastal Commission.

If a public hearing is required, legal notice shall also be published at least once in a local newspaper of general circulation in the County.

The Director may also require additional means of notice that is reasonably determined necessary to provide adequate public notice of the application for the proposed project.

C. Content of notice. The required notice may be combined with other required project permit notice(s), shall be mailed by First Class mail and shall include the following information:

1. A statement that the project is within the Coastal Zone, and that the project decision will include a determination on a Coastal Permit;
2. The date of filing of the application;
3. The name of the applicant;
4. The number assigned to the application;
5. A description of the proposed project and its location;
6. A determination of whether the project is appealable to the Coastal Commission;

7. The date, time and place of the hearing and/or decision on the application;
8. A brief description of the procedures for public comment and decision on the application, including listing what review authority is to decide on the Coastal Permit application, as well as the system of appeal if applicable;
9. If a public hearing is proposed to be waived, a description of the public hearing waiver process as provided in Section [23.90.070\(A\)\(2\)](#).
10. All procedures for challenge and appeal associated with the type of application being considered.

D. Re-noticing required. If a decision on a Coastal Permit is continued by the review authority to a date or time not specific, the item shall be re-noticed in the same manner and within the same time limits established by this Section. If a decision on a Coastal Permit is continued to a specific date and time, then no re-noticing is required.

E. State Lands Commission notification. Notice shall be provided to the State Lands Commission when an application for a Coastal Permit is submitted to the City on property identified as potentially subject to the public trust.

23.90.080 Findings for Approval

To approve a coastal permit, the review authority shall make all of the following findings, [as applicable](#):

- A. **[Plan Consistency.](#)** The project is consistent with the General Plan, the LUP, and the Local Coastal Implementation Program.
- B. **[Public Views.](#)** The project maintains public views between the sea and the first public roadway parallel to the sea.
- C. **[Habitat Protection.](#)** The project protects vegetation, natural habitats and natural resources consistent with LCP.
- D. **[Design Consistency.](#)** The design, location, size, and operating characteristics of the proposed development is consistent with any applicable design plans and/or area plans incorporated into the LCP.
- E. **[Coastal Access.](#)** The project maintains public access to the coast along any coastline as set forth in the LCP.
- F. **[Visitor Serving.](#)** The project supports the LCP goal of providing visitor-serving needs as appropriate.
- G. **[Appropriate Use.](#)** The project is consistent with the LCP goal of encouraging appropriate coastal development uses.
- H. **[Coastal Resources.](#)** The proposed development protects and where feasible enhances coastal resources.

23.90.090 Notice of Final Action

The City's ~~action~~-decision on a coastal permit shall become final when all local rights of appeal have been exhausted per Section 23.90.100. Within 10 calendar days of a final decision on a coastal permit application, the City shall provide notice of its action by first class mail to the applicant, the Coastal Commission, and any other persons who have requested such notice by submitting a self-addressed, stamped envelope to the City. The notice shall contain the City's approved staff report, plans, adopted findings, conditions of approval, indication of whether the project is appealable to the Coastal Commission and the reasons for why it is or is not, and procedures for appeal to the Commission. ~~The City's decision on a coastal permit application shall be deemed final when all local rights of appeal have been exhausted.~~

23.90.100 Appeals

A. Local Appeals. All Planning Commission decisions on coastal permits may be appealed by an aggrieved person to the City Council. An aggrieved person is any person who, in person or through a representative, appeared at a City public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing informed the City of the nature of their concerns, or who for good cause was unable to do either. Aggrieved Person includes the applicant for a coastal development permit.

B. Appeal Submittal. An appeal shall be submitted in writing within 10 calendar days of the date of the Planning Commission decision. The appeal shall state the pertinent facts and the basis for the appeal, and shall be filed with the City Clerk.

1. When an appeal is filed, the Director shall prepare a report on the matter and schedule the matter for a public hearing by the appropriate authority. Notice of the hearing shall be provided in the same form as is required for consideration of CDP application, and the hearing shall be conducted. Any interested party may appear and be heard regarding the appeal. At the hearing, the City Council may consider any issue involving the matter that is the subject of the appeal ("de novo"), in addition to the specific grounds for the appeal. The review authority may:

- a. Affirm, affirm in part, or reverse the action or decision that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal, and verify the compliance or noncompliance of the subject of the appeal with the LCP;
- b. Adopt additional conditions of approval that may address issues or concerns other than the subject of the appeal; or
- c. Disapprove the coastal permit approved by the Planning Commission, even if the appellant only requested modification or elimination of 1 or more conditions of approval.

2. If new or different evidence is presented on appeal, the City Council may refer the matter back to the Planning Commission for further consideration.

C. Appeals to the Coastal Commission.

1. In accordance with PRC §30603, any approval decision by the City on a coastal permit in the geographic areas defined in subsection 3(a-c), below, or any approval or denial decision by the City on a coastal permit for a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility located anywhere in the coastal zone, may be appealed to the Coastal Commission.

2. Appeals to the Coastal Commission may be filed by the project applicant, any aggrieved person, or any 2 members of the Coastal Commission.
3. The following types of projects may be appealed to the Coastal Commission.
 - a. Projects located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
 - b. Projects located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
 - c. Projects in a sensitive coastal resource area (i.e., the Asilomar Dunes Residential Area and the Asilomar Conference Grounds).
 - d. Any development which constitutes a major public works project or a major energy facility.
4. Appeals must be submitted to the Coastal Commission within 10 working days of Coastal Commission receipt of a complete notice of final action.
5. City decisions may be appealed to the Coastal Commission only after an appellant has exhausted all local appeals, except that exhaustion of all local appeals is not required if any of the following occur:
 - a. The City requires an appellant to appeal to more local appellate bodies than have been certified as appellate bodies for coastal permits in the coastal zone.
 - b. An appellant was denied the right of the initial local appeal by a City ordinance which restricts the class of persons who may appeal a local decision.
 - c. An appellant was denied the right of local appeal because City notice and hearing procedures for the development did not comply with the provisions of this title.
 - d. The City required an appeal fee for the filing or processing of the appeal.

23.90.110 Permit Issuance

A. Effective Date of a Coastal Permit.

1. In areas outside the Coastal Commission appeal area, coastal permits shall become effective 1140 working days after the City's final decision and no appeal has been filed.
2. In areas within the Coastal Commission appeal area, coastal permits shall become effective after 110 working days if no appeal has been filed. The 10-day appeal period shall start the day after the Coastal Commission receives adequate notice of the final local action.

- #### **B. Expiration of Permits.**
- A coastal permit not exercised within 2 years shall expire and become void, except where an extension of time is approved. Such approval shall only be granted for good cause. The extension request shall be in writing by the applicant or authorized agent prior to expiration of the 2-year period. Such extensions shall be considered amendments for purpose of notice and appeal to the Coastal Commission.

- | **C. Revocation of Permits.** Where 1 or more of the conditions of a coastal permit have not been, or are not being, complied with, or when a coastal permit was granted on the basis of false material information, the Planning Commission or City Council may revoke or modify the coastal permit following public hearing. Notice of such hearing shall be the same as would be required for a new coastal permit.
- | **D. Resubmittals.** For a period of 12 months following the denial or revocation of a coastal permit, the City shall not accept an application for the same or substantially similar permit for the same site, unless the denial or revocation was made without prejudice, and so stated in the record.

23.90.120 Emergency Permits

- | **A. Purpose.** Emergency coastal permits may be granted at the discretion of the Director or a local official designated by the City Council for projects normally requiring coastal permit approval. To be eligible for an emergency permit, a project must be undertaken as an emergency measure to prevent loss or damage to life, health, or property, or to restore, repair, or maintain public works, utilities, and services during and immediately following a natural disaster or serious accident.
- | **B. Application.** Application for an emergency permit shall be made to the City by letter if time allows, and by telephone or in person if time does not allow. The applicant shall submit the appropriate fees at the time of application for an emergency permit.
- | **C. Required Information.** The information to be reported during the emergency, if it is possible to do so, or to be fully reported after the emergency, shall include all of the following:
 - 1. The nature of the emergency.
 - 2. The cause of the emergency, insofar as this can be established.
 - 3. The location of the emergency.
 - 4. The remedial, protective, or preventive work required to deal with the emergency.
 - 5. The circumstances during the emergency that appeared to justify the course of action taken, including the probable consequences of failing to take action.
- | **D. Verification of Facts.** The Director or other designated local official shall verify the facts, including the existence and nature of the emergency, as time allows.
- | **E. Public Notice.** If time allows, the Director shall provide public notice of the proposed emergency action, with the extent and type of notice determined on the basis of the nature of the emergency itself.
- | **F. Criteria for Granting Permit.** The Director may grant an emergency permit upon making all of the following findings:
 - 1. An emergency exists and requires action more quickly than permitted by the procedures for ordinary permits.
 - 2. The development can and will be completed within thirty days unless otherwise specified by the terms of the permit.
 - 3. Public comment on the proposed emergency action has been reviewed if time allows.

4. The work proposed would be consistent with the requirements of the certified LCP.

G. Conditions. The [Director](#) may attach reasonable terms and conditions to the granting of an emergency permit, including an expiration date and the necessity for a regular permit application by a specified date.

H. Limitations.

1. The emergency work authorized under approval of an emergency permit shall be limited to activities necessary to protect the endangered structure or essential public structure.

2. The emergency approval shall be voided if the approved activity is not exercised within 15 days of issuance of the emergency permit.

3. The approval shall expire 60 days after issuance. Any work completed outside of these time periods requires a regular coastal permit approval unless an extension is granted by the City.

I. Application for Regular Coastal Permit. Upon the issuance of an emergency permit, the applicant shall submit a completed coastal permit application and any required technical reports within a time specified by the [Director](#), not to exceed 30 days.

J. Reporting of Emergency Permits. The [Director](#) shall report emergency permits to the Coastal Commission and to the City Council and Planning Commission. [The emergency permit shall be scheduled on the agenda of the City Council at its first scheduled meeting after that permit has been issued.](#)

23.90.130 Coastal Permit Amendments

A. New Application. An applicant may request an amendment to a coastal permit by filing an application to amend the coastal permit pursuant to the requirements of this chapter.

B. Consistency Required. Any amendment approved for development in the coastal zone shall be found consistent with all applicable Local Coastal Program requirements and this chapter with regards to requirements of jurisdiction, hearings, notices and findings for approval. Any coastal permit amendment shall be processed as appealable to the Coastal Commission if the base coastal permit was also processed as appealable.

23.90.140 [Coastal Hazards Overlay.](#)

In order to protect life, property, and coastal resources from hazards associated with sea level rise, tidal inundation, storm surges, tsunamis, shoreline land erosion, and wildfire, the City implements the following regulations:

A. [Coastal Hazards Zoning Map Overlay.](#)

1. The City designates portions of the Coastal Zone as a [Coastal Hazards Overlay](#) on the City's Coastal [Zoning](#) Map, consistent with:

- a. Locations below 20 feet above current mean high tide line based on the 2025, 2050, and 2100 Coastal Flooding and 2025, 2050, and 2100 Coastal Erosion maps. This modeling is based on Pacific Institute data and represents the best available data and science at this time; as such, it is subject to refinement and update over time.

- b. Very high fire hazard severity zones as identified by the California Department of Forestry and Fire Protection.
2. Based on updated study and data, the City shall adjust the Natural Hazards Overlay boundary from time to time, but no less frequently than every 5 years. The City's periodic evaluations, approximately once every 5 years, shall commence when the mean high water tidal datum referenced to the North American Vertical Datum of 1988 (NAVD88) has risen 3 inches on average for an entire year above the updated tidal epoch mean high water level at the Monterey Tide Gauge (NOAA Station 9413450) adopted by the National Ocean Service. The tidal epoch is anticipated to be updated and adopted by the National Ocean Service in 2020.
3. The City shall monitor sea level rise and may initiate a request to amend the Coastal Zone boundary as appropriate and feasible.

B. Administration

1. This section shall be administered by the Director.
2. This section is applicable to all structures that are located wholly or partially within the Natural Hazards Overlay.
3. Application review and permitting for issues relating to scenic resources shall be in accordance with 23.90.030.

C. Hazards Data and Monitoring.

The City shall update the Coastal Parks Plan and maintain it as component of its approved Local Coastal Program, including updates in regard to shoreline and bluff erosion, and sea level rise and related effects.

1. The City shall establish an inundation elevation based on elevation above the projected mean high tide sea level, below which new habitable development shall not -be allowed. The location of the inundation level shall be indicated on the Coastal Zoning Map. Based on current best available science, that inundation elevation is 20 feet above current mean high tide.
2. The City shall study areas of its Coastal Zone to revise the flooding and erosion hazard overlay, particularly for the Asilomar Dunes and Asilomar State Beach areas, for which no erosion hazard data exists.
3. The City shall install emergency response and warning signage within the Natural Hazards Overlay. Signs shall provide information on tsunami and/or other coastal wave hazards and provide direction for evacuation.
4. The City shall annually monitor changes in sea level at the Monterey Tide Gauge (NOAA Station 9413450).
5. Beginning in the year 2020 the Community and Economic Development Director shall report every 2 years to the City Council, providing historic sea level data and the most recent sea level rise projections.
6. When the mean high water tidal datum has risen 3 inches on average for an entire year above the forthcoming updated tidal epoch mean high water level of 4.76 feet (in NAVD) at the Monterey Tide Gauge (NOAA Station 9413450) adopted by the National Ocean Service, the City Council shall declare that the City's threshold for implementation of sea level rise

response has been reached. The tidal epoch is anticipated to be updated and adopted by the National Ocean Service in 2020, and the North American Vertical Datum of 1988 (NAVD88) shall be referenced.

7. Upon reaching the sea level response threshold, the City will initiate revisions to land use and building regulations in areas of potential coastal hazards.
8. The City shall seek funding sources and partner agencies for data collection and implementation of hazards mitigation projects. The City shall strive to include implementation strategies as part of a Hazards Mitigation Plan to qualify for Federal Emergency Hazards Mitigation funds.
9. The City shall review the coastal hazards data and update the Local Coastal Program, Implementation Plan, Coastal Parks Plan, and Coastal Zoning Map as necessary, no less frequently than every 5 years. This review shall commence when the mean high water tidal datum has risen 3 inches on average for an entire year above the forthcoming updated tidal epoch (1983-2001) mean high water level of 4.76 feet (in NAVD) at the Monterey Tide Gage (NOAA Station 9413450) adopted by the National Ocean Service. The tidal epoch is anticipated to be updated and adopted by the National Ocean Service in 2020, and the updated North American Vertical Datum of 1988 (NAVD88) shall be referenced.
10. The Director shall monitor the rate of coastal erosion at key locations within the Coastal Zone.
11. The Director shall confirm the very high fire hazard severity zones no less than once each 5 years in conjunction with triennial building code updates.

D. Development within Coastal Hazards Overlay

1. The City shall only allow open space; low intensity recreational uses; ancillary food service, existing utility and support facilities; existing coastal access and coastal dependent uses at Lovers Point, Hopkins Marine Station, and Monterey Bay Aquarium; and existing houses below the 20-foot elevation from current mean high tide line.
2. Existing houses below the 20-foot elevation from current mean high tide line may remain but may require future removal or relocation outside the coastal hazard area. When new development occurs or alterations are made to existing development, related adjacent development shall be upgraded to better address coastal hazards to the extent feasible.
3. Public access facilities below the 20-foot elevation from current mean high tide line shall be designed to be easily re-locatable or removable, and shall result in minimal damage to the shoreline, bluffs, other natural landforms, or biotic resources. No development that directly or indirectly accelerates bluff instability or erosion shall be allowed.
4. When directed by the City Council, the Building Official shall recommend safeguards against damage to structures from sea level rise and coastal wave surges for consideration by the City Council.
5. When directed by the City Council, upon finding that sea level rise poses an impending and significant risk to vulnerable land uses, the Director shall propose Land Use Plan Land Use Map amendments to change the land use designation within areas subject to inundation from sea level rise or storm surges.

6. A geologic soils report and/or wave run-up analysis shall be prepared by a qualified professional for new development proposed in areas subject to coastal erosion, tsunami, or storm surges. Reports shall be required for any development for which an application is submitted after the [mean high water tidal datum referenced to the North American Vertical Datum of 1988 \(NAVD88\) has risen 3 inches on average for an entire year above the current updated tidal epoch \(1983-2001\) mean high water level of 4.76 feet \(in NAVD\) at the Monterey Tide Gauge \(NOAA Station 9413450\) adopted by the National Ocean Service. The tidal epoch is ~~anticipated to be updated and adopted by the National Ocean Service in 2020.~~](#)
7. Existing development within the [Coastal](#) Hazards Overlay shall be maintained or removed. Property owners shall be responsible for demolition of and removal of debris from, structures that have been condemned as in danger of destruction from natural hazards.
8. New development within very high fire hazard severity zones shall conform to fire-resistive construction requirements of applicable building codes.

E. [Adaptation Program](#). The City shall prepare a sea level rise adaptation program [as part of the Coastal Parks Plan update](#).

[F. Shoreline Protective Devices](#)

1. The City shall update the Coastal Parks Plan as component of its approved Local Coastal Program, including updates in regard to shoreline protective structures and alternatives to shoreline protective structures.
2. New development: [in the Coastal Zone](#) (including new public improvements and facilities) shall not include new shoreline protective structures and shall include a “no future armoring” condition, as well as a “removal and restoration” condition should the development become endangered by ongoing wave action or sea level rise. Development that may be subject to coastal hazards during its anticipated existence, shall have a deed restriction recorded acknowledging the potential coastal hazards on the property, waiving the right and prohibiting the construction of protective devices to protect said development, and agreeing to remove said development and restore areas affected by said development to a natural state before the development is imminently threatened by continuing coastal hazards.
3. New or extended shoreline protective devices shall be constructed only for the protection of existing public coastal uses such as parks, trails, and utilities, coastal-dependent uses, and existing institutional uses, and only if non-structural approaches are not feasible. [The 2existing coastal shoreline private residential properties within the City may be evaluated in the future as an exception and may be considered for shoreline protection.](#)
4. Non-structural shoreline protective strategies, including retreat of development (including public improvements and facilities), shall be used to the greatest extent possible.
5. Existing shoreline protective structures may be repaired and maintained if non-engineering approaches are determined to be infeasible, based on evaluation of the following:
 - a. The continued need for the structure, including whether it is feasible to replace the structure with an alternative with fewer coastal resource impacts.
 - b. The potential for the structure’s removal to result in adverse effects on coastal resources.

9. A Coastal Development Permit shall be required for construction, removal, or modification of any shoreline protective structure or device.
10. When new development, redevelopment, or modifications to existing development are proposed for locations protected by a shoreline protective device, a report shall be prepared to evaluate the efficacy of the protective device, including:
 - a. Whether the devices can be removed and modified in light of the development proposed;
 - b. Whether public access can be improved; and/or
 - c. Whether coastal resources would benefit.

If the report finds that removal or modification would be feasible, and improve coastal access and/or benefit coastal resources, then the removal or modification shall be required as a condition of approval.

23.91.150 Water Quality and Marine Resources.

[In order to protect water quality and marine resources in the City's Coastal Zone, the City implements the following application review and permitting for issues relating to scenic resources in accordance with 23.90.030 regulations, in conjunction with the California Department of Fish and Wildlife, the National Oceanic and Atmospheric Administration, and the Bureau of Land Management, to maintain a coordinated approach for enforcing federal, state, and local regulations protection for the marine reserves and conservation areas, the Sanctuary, the California Coastal National Monument, and Areas of Special Biological Significance:](#)

A. Living marine resources shall be protected as follows:

1. All the waterfront of the City, together with those certain submerged lands in the Bay of Monterey contiguous thereto, as set forth and particularly described in that certain act of the Legislature of the State of California entitled, "An act granting to the City of Pacific Grove the title to the waterfront of said City together with certain submerged lands in the Bay of Monterey contiguous thereto," approved by the Governor June 9, 1931, are hereby established as a refuge for the protection of certain kinds of marine life hereinafter mentioned and as a marine garden of the City and reference is hereby made to said act of the Legislature for a particular description of said waterfront and said submerged lands. [Ord. 13-018 § 3, 2013; Ord. 210 N.S. § 5-401(1), 1952].
2. Anyone taking specimens of marine plant life, or who willfully disturbs, injures or destroys marine animal habitats or who removes sand, gravel, or rocks therefrom shall be guilty of a misdemeanor, and may be prosecuted. [Ord. 13-018 § 3, 2013; Ord. 08-006 § 47, 2008; Ord. 1004 N.S. § 1, 1978; Ord. 210 N.S. § 5-401(2), 1952].
3. Notwithstanding the provisions of PGMC 23.90.150(A)(2), nonliving animals or portions thereof, detached plants, pebbles, flotsam and jetsam may be removed for noncommercial purposes and reduced to possession, but the quantity of nonliving animals and pebbles that may be taken shall not exceed the possession of 1 handful. The marine refuge shall not be subject to habitat destruction by the relocation and repositioning of large rocks. The City manager or his or her delegated authority may issue permits for scientific collecting of specific organisms or objects in specific quantities within the marine preserve of the City of Pacific Grove. [Ord. 13-018 § 3, 2013; Ord. 349 N.S., 1960; Ord. 210 N.S. § 5-401(3)].

4. It is the policy of the City of Pacific Grove to protect harbor seal mothers and pups if birthing occurs on any Pacific Grove beach, and to deter long-term habitation at Lovers Point Beach. No action will be taken for sporadic seal presence at other beaches outside of the pupping season. [Ord. 13-018 § 3, 2013].
5. If harbor seal pups are delivered on any beach in the City, the City will temporarily close the beach to public uses and provide temporary fencing and signage to protect the seals and their pups for the pupping season through weaning. Protection of seals with pups will include:
 - a. Placing temporary fencing off the beach or a barrier at least 50 feet from the location of the pup, using materials such as wood lattice fencing or other alternative that provides visual access;
 - b. Posting “No Trespassing” signs;
 - c. Enlisting assistance from federal/National Oceanic and Atmospheric Administration (NOAA) enforcement where they have jurisdiction at low tide and where necessary;
 - d. Coordinating with volunteer docent programs on public outreach to explain the pupping viewing sites and the nature of the mothers and their pups;
 - e. Should Lovers Point Beach become a pupping site, the city, in consultation with NOAA and National Marine Fisheries Service (NMFS) officials, may encourage the seals to move off the beach after the pup has been weaned, or at a point where it will not harm the mother or pup, so that the mother seals and their new offspring do not become habituated to the beach. Methods that may be used are described in subsection (6). NOAA’s Office of Law Enforcement and the NMFS will provide guidance to the City for when it is appropriate to begin these activities. [Ord. 13-018 § 3, 2013].
6. In the event of juvenile or adult haul outs at Lovers Point Beach, city staff, and other state and federal agencies with jurisdiction, may take direct action to encourage the seals to move off the beach. The City will coordinate with interested agencies and organizations as to the plan and actions that will be taken.
 - a. Actions that may be taken to encourage harbor seals to move from Lovers Point Beach include, but are not limited to:
 - i. Human presence;
 - ii. Acoustic devices and/or noise makers that dispense noise periodically;
 - iii. Sonic repellents;
 - iv. Visual deterrents such as scarecrows or false predators; or
 - v. Techniques acceptable by NOAA and/or recommended in the federal Marine Mammal Protection Act.
 - b. Actions that are discouraged to deter harbor seals at Lovers Point Beach are:
 - i. Barriers to deter harbor seals the beach, unless pupping has occurred;
 - ii. Excessive or continuous noises; and

- iii. Direct physical contact with the seals. [Ord. 13-018 § 3, 2013].
7. Prior to and during the harbor seal pupping season, the City will coordinate with local NOAA offices and initiate reporting activities and reporting to NMFS to ensure collaboration in executing procedures at Lovers Point Beach and a protection plan at all other City beaches. [Ord. 13-018 § 3, 2013].
8. Anyone who interferes with activities taken in accord with this chapter to protect harbor seals during the pupping season, or to encourage seals to move off the beach, including but not limited to trespassing, protective fencing, removing signage, or other acts that may be detrimental to the seals and their pups shall be guilty of a misdemeanor, and may be prosecuted. [Ord. 13-018 § 3, 2013].
- B. The diking, filling, or dredging of open coastal waters, tide pools, wetlands, estuaries, coastal streams, and lakes shall be permitted only in accordance with Public Resources Code §30233, and only where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. A buffer with the same development restrictions shall be observed within 50 feet on either side of riparian vegetation along a stream (or 100 feet from top of bank, whichever is larger) or 100 feet from other wetlands. Development, other than that listed here, shall be prohibited within these areas.
1. Continued use, maintenance, and replacement of existing coastal-dependent industrial, commercial, or institutional facilities so long as the development footprint is not increased, no additional impacts result, and an effort is made to reduce any existing impacts to the extent feasible;
 2. Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines;
 3. Restoration purposes; or
 4. Nature study, aquaculture, or similar resource dependent activities.
- C. Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.
- D. In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Wildlife shall be limited to very minor incidental public facilities, restorative measures, nature study, if otherwise in accordance with this section.
- E. Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a Coastal Development Permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.
- F. Development shall minimize the damage or removal of non-invasive vegetation (including trees, native vegetation, and root structures) during construction, to achieve water quality benefits such

as transpiration, vegetative interception, pollutant uptake, shading of waterways, and erosion control. Plan, site, and design development to preserve or enhance non-invasive vegetation, in order to achieve water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control.

- G.** Development shall avoid the use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers), in order to minimize wildlife entanglement and plastic debris pollution.
- H.** If preservative-treated wood is used within 300 feet of coastal waters, implement appropriate treatment, storage, and construction practices for preservative-treated wood; at a minimum, those standards identified by the American Wood Protection Association.
- I.** Plan, site, and design development to protect and, where feasible, restore natural hydrologic features that provide storm water infiltration, treatment, storage, or conveyance.
- J.** Plan, site, and design development to maintain or enhance on-site collection for reuse or infiltration of runoff, where required, appropriate and feasible, in order to preserve natural hydrologic conditions, recharge groundwater, attenuate runoff, retain dry-weather runoff on-site, and minimize transport of pollutants.
- K.** Plan, site, and design development to minimize the installation of impervious surfaces (including pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops), in order to reduce runoff. Where feasible, increase the area of pervious surfaces in re-development. Minimize directly-connected impervious areas, which are areas covered by a building, impermeable pavement, or other impervious surfaces that drain directly into the storm drain system without first flowing across permeable areas (such as vegetative landscaping or permeable pavement). Convey runoff from impervious surfaces into permeable areas in a non-erosive manner.
- L.** Development shall be planned, sited, and designed to minimize discharges of dry weather runoff to coastal waters, to the maximum extent feasible.
- M.** Development shall be planned, sited, and designed to avoid discharging concentrated flows of storm water or dry weather runoff through storm water outfalls directly into coastal waters, intertidal areas, beaches, bluffs, or stream banks. Protective measures shall be used to prevent erosion at storm water outlets (including outlets of pipes, drains, culverts, ditches, swales, or channels), if the discharge velocity will be sufficient to potentially cause erosion from concentrated runoff flows.
- N.** Parking lots shall be designed to minimize impervious surfaces, and to treat and/or infiltrate runoff before it reaches coastal waters or the storm drain system so that heavy metals, oil and grease, and polycyclic aromatic hydrocarbon pollutants on parking lot surfaces will not enter coastal waters.
- O.** The City shall utilize ecologically responsible pest control methods and integrated pest management to the extent feasible on public property, encourage this practice generally on private property, and shall impose requirements as conditions of approval of Coastal Development Permits on properties including or adjacent to environmentally sensitive habitat.
- P.** Plant material used on or adjacent to coastal bluffs shall be native to minimize the need for irrigation beyond initial plant establishment. An exception to the native plant requirement is allowed within Perkins Park to accommodate traditional Magic Carpet rosy ice plant (*Drosanthemum floribundum*). Irrigation, consisting of micro-sprayers and/or drip irrigation, may be

permitted on a case-by-case basis as necessary to establish native plant materials. Irrigation shall be removed from the bluff upon establishment of the plant materials.

Q. Section 922.132 of the Monterey Bay National Marine Sanctuary (MBNMS) regulations prohibits “discharging or depositing any material or matter within or into the sanctuary (e.g., pollutants, trash, objects, etc.), or from outside the boundaries if it subsequently enters and injures the sanctuary. “Injure’ means to change adversely, either in the short or long term, a chemical, biological, or physical attribute of, or the viability of.” The MBMNS Urban Runoff Action Plan, which is a non-regulatory approach to working with citizens in the watersheds to improve water quality shall be promoted by the City in all new development.

R. For land use with specific or elevated potential for discharge of pollutants considered water quality concern, such as gasoline stations, car washes, and industrial uses ensure that additional water quality protective measures are taken as necessary to prevent discharge of pollutants to coastal waters or other sensitive habitats, or otherwise endanger plants or animals.

23.90.160 Scenic Resources and Design.

In order to protect the scenic resources and scenic public views of the City’s Coastal Zone, the City implements the following regulations:

A. Scenic Resources Zoning Map Overlay

1. The City designates portions of the Coastal Zone as a Scenic Resources Overlay on the City’s zoning map.
2. Those portions of the Sunset and Asilomar Dunes areas not designated on the scenic resources map should be subject to further study as funds become available to determine if they should be added to the Scenic Resources Overlay.

B. Application review and permitting for issues relating to scenic resources shall be in accordance with 23.90.030,

C. The following documentation may be provided when changes to the height or mass of the structure are proposed:

1. Story poles and netting showing proposed ridgelines and exterior wall lines, to be erected no later than project notices are posted, and remaining until appeals periods have passed; and
2. Ribbons marking any tree limbs to be removed.

D. The City shall update the Coastal Parks Plan as a component of its Local Coastal Program, including updates in regard to scenic resources and views.

E. View Protection within the Scenic Resources Overlay

1. Views from public streets, paths, parks, or open space areas, towards dunes, the ocean, and coastal open space areas and associated vegetation are protected:
2. The following are considered adverse effects on scenic public views:
 - a. Excess lighting or glare;

- b. Structures, fencing, or utilities not in keeping with the visual character of the surrounding area and thereby drawing undesired attention or distracting from or degrading the visual character of surrounding areas, and/or significantly interfering with protected public views;
 - c. Removal of mature trees and significant plant materials that are part of the sand dune, coastal bluffs, and forested areas; and
 - d. Removal or major alteration of historical resources that contribute to the scenic and visual quality of special communities and neighborhoods.
3. Evaluation and measurement of public views shall be based on the following parameters:
- a. Views from public streets or paths should be reviewed and assessed as part of the coastal development permit.
 - b. Views from public streets or paths shall be evaluated for the entire public frontage of the parcel(s). The horizontal extent of the view shall be a line following the side property line, or for irregular sites, extending to the widest point of the parcel(s).
 - c. Onshore public views shall take into account the entirety of the development site and any areas in the foreground or background that could be obscured to any extent.
4. In accordance with the City's objective to retain the maximum amount of open space possible on lands seaward of viewing areas, the City, or any other public agency or charitable trust/organization (Coastal Conservancy, Sierra Club, Surfrider Foundation, etc.) shall seek assistance in securing scenic conservation easements, and a reduction of development potential through public acquisition of vacant private parcels.
5. In certain cases the environmental review or Coastal Development Permit process may reveal an undeveloped private parcel which includes scenic public views of forest and dunes westerly of Asilomar Avenue. Often, such parcels can be developed without significantly impairing these special qualities.

F. Standards for Development within the Scenic Resources Overlay

- 1. New development and exterior structural alterations to development already existing shall endeavor to improve the existing public views and scenic qualities of the area.
- 2. New development, including boardwalks within the Asilomar State Beach and Conference Grounds visible from Sunset Drive, shall be subordinate to the open space character of the area.
- 3. Structures shall be sited to minimize alteration of natural dune topography. The Director may permit minor setback intrusions to minimize alteration of natural dunes.
- 4. New development shall be compatible with surrounding areas and protect the open space character of the area. Development shall use primarily low-reflective building materials with primarily earth tone colors in a range similar to predominant natural vegetation.
- 5. New development shall be restricted in height according to the requirements of the zoning district in which it is located. Height may be further limited to preserve protected public views. Exceptions to the height limit will be allowed only for chimneys, vents, and similar vertical

- extensions, not to exceed an additional 4 feet, and not to comprise more than 5 percent of a building's roof area.
6. The location of proposed structures or alterations relative to public view corridors, height, and bulk will be considered in ensuring that new development will preserve scenic qualities and protect public views.
 7. Height reductions, increased setbacks, design modifications, and lot coverage reductions from applicable zoning district development standards may be employed so as to achieve Local Coastal Program compliance, and view shed easements may be employed to preserve protected public views.
 8. Utility service lines feeding new structures shall be undergrounded or placed out of sight.
 9. New utility building service lines shall be undergrounded under driveways and/or walkways, unless infeasible.
 10. The siting of structures shall use existing topography or vegetation to provide maximum screening from public views, and minimize the obstruction of or intrusion upon public views. Building ridgelines shall not extend above the crest of the dune or the top of the tree line that forms the visual backdrop from public viewing points. Where the site's elevation differentials are not sufficient to achieve this standard, the building ridgeline shall be kept as low as feasible.
 11. Site location and development of wireless telecommunication facilities shall preserve the visual character and aesthetic values of the site and surrounding land uses and shall not significantly impact public scenic views. Attaching wireless equipment to existing structures and camouflaging and co-location is encouraged.
 12. Development shall be considered visually intrusive and incompatible if the predominant colors, textures, or reflective materials cause it to stand out from surrounding built and natural features; or if the height is significantly greater (more than 25 percent) than that existing on parcels within 150 feet. On street blocks with a coherent and distinctive architectural style, new development should be of a substantially similar style. Exterior façade maintenance and improvement is encouraged, and shall be compatible with development on adjacent blocks and the City's overall architectural character. Structures in disrepair shall be maintained, renovated, replaced, or removed.
 13. A site-specific analysis may be required to determine and quantify the impact of the proposed development upon public visual access to the ocean and shoreline. If there is an existing public view and the site is designated in the applicable land use plan as a public view corridor, vista or within a public viewshed, it is intended that such critical public views to the ocean and shoreline be maintained or restored by designing and siting the coastal development in such a manner as to preserve the identified public view.
 14. No structures or other obstructions that will impede public views shall be installed within the boundaries of any required public visual corridor. Landscaping may be installed within the view corridor provided such improvements do not obstruct public views to the ocean and natural shoreline features.

G. Lighting and Reflection

1. New or replacement lighting for both public and private development shall be designed to minimize light spill into natural areas by using cut-off fixtures directing light to the ground, and not flooding the site with light.

2. New or replacement lighting shall be designed to minimize visibility from coastal beaches and bluffs, and off-shore locations.
3. Low level exterior lighting with cut-off, shielded, or downward fixtures (i.e. the bulb is not directly visible) shall be used on buildings to minimize off-site visibility and light spill. Lighting shall be restricted to 60 watts (incandescent) or equivalent (15 watt fluorescent or 7.5 watt LED)
4. Permanently installed lighting shall not blink or flash unless required for navigation, safety, or similar purposes.
5. Unless shielded from the coast by buildings or vegetation, trail lighting shall be mounted on bollards no greater than 4 feet tall and with the lighting shielded from the coast.
6. New construction over 10,000 square feet of floor area shall incorporate anti-reflective window glazing, awnings, or other anti-glare methods on south- and west-facing elevations and those elevations visible from public view points.

H. Landscaping

1. New commercial development requiring a use permit shall require approval of a Landscaping Plan by the Planning Commission. Landscaping shall be included in the evaluation of effects of development on protected public views.
 2. Landscaping shall be maintained such that during the growing stage and at maturity, it will not encroach into a public view corridor or obstruct public views to the sea and natural shoreline features. New plantings adjacent to public areas from which sea views are available, shall be designed to preserve those public views. Hedge plantings shall not exceed 3 feet in height, and shrubs shall be spaced or clustered to permit views.
 3. Trees that contribute to the scenic coastal character shall be retained, including trees along the shoreline and at Asilomar Conference Grounds. If removed, for example, due to disease or for public safety, these trees shall be replaced with an appropriate native species.
 4. Where development will occur within a forested area, a reforestation plan and/or tree protection plan shall be required prior to permit issuance to ensure appropriate tree replacement or protection from damage.
 5. Landscaping shall be designed and utilized to ensure that buildings blend into the natural surroundings to the greatest extent.
 6. Landscaping shall use plants native to the general region and selected for tolerance of drought and compatibility with the natural landscape, with an exception to allow Magic Carpet rosy ice plant (*Drosanthemum floribundum*) at Perkins Park.
- I. Open fencing may be installed within the view corridor provided such improvements do not obstruct public views to the ocean and natural shoreline features. New chain-link fencing shall not be allowed, and the removal of chain-link fencing shall be encouraged, and required in association with Coastal Development Permits.

23.90.170 Biological Resources and Environmentally Sensitive Habitat Areas.

In order to protect biological resources in the City's Coastal Zone, the City implements the following regulations for new or altered uses:

- A. Marine biological resources shall be protected in compliance with 23.90.[150](#) PGMC.
- B. [Major vegetation](#) shall be protected in compliance with PGMC 23.90.[180](#).
- C. [Application review and permitting for issues relating to biological resources and environmentally sensitive habitat area shall be in accordance with 23.90.030](#)
- D. Habitat Sensitivity Zoning Map Overlay
 - [1.](#) The City designates portions of the Coastal Zone as a Habitat Sensitivity Overlay on the City's zoning map, consistent with the Land Use Plan Land Habitat Sensitivity Map extreme, high, and moderate habitat sensitivity areas.
 - [2.](#) Low habitat sensitivity areas, as shown on the Land Use Plan land habitat sensitivity map are located outside the Habitat Sensitivity Overlay area, [and biological reports are required only if determined necessary for California Environmental Quality Act compliance](#).
 - [3.](#) Protected habitats and plant and animal species shall be reviewed by the [Director](#) at least once each [3](#) years, and the Habitat Sensitivity Area Overlay adjusted as warranted. Determinations of sensitivity level shall consider federal and state protection status of species and their habitat dependence.
- E. General Development Standards for the Habitat Sensitivity Overlay
 - [1.](#) A biological assessment shall be conducted at applicant's expense by a qualified biologist for any development that disturbs pervious areas or results in the disturbance or removal of vegetation, unless exempted by the City for any of the following reasons:
 - a. Based on a review of site conditions, the City may exempt a project from the biological assessment if no sensitive biological communities, U.S. Fish and Wildlife Service-designated critical habitat areas, or potential wildlife corridors are mapped or observed on or within 150 feet of the site; no protected trees or natural woodlands are located on or within 150 feet of the site; and no undeveloped natural lands, recognizable wetlands, or hydrological features (e.g., creeks, streams, or lakes) are located on or within 150 feet of the site.
 - b. Based on review of the proposed project or activity, the City may exempt a project from the biological assessment if the project characteristics indicate that there is no potential for the project to adversely affect biological resources.
 - c. Emergency projects and/or public safety projects, such as response to fire or flooding, are exempt. However, a follow-up biological study may be required at the discretion of the City.
 - [2.](#) A biological assessment shall include the following information:
 - a. California Department of Fish and Wildlife's California Natural Diversity Database and the California Native Plant Society Inventory of Rare and Endangered Plants for the

- United States Geological Survey quadrangle in which the site is located, along with the [8](#) surrounding quadrangles, and review of United States Fish and Wildlife Service Endangered Species lists and programs;
- b. Lists of potentially occurring special-status species in the project vicinity based on the sources listed in subsection (C);
 - c. Identification of applicable policies from the General Plan and Land Use Plan;
 - d. Date of site visit(s), description of study methods, and description of the biological conditions observed on the site and in the surrounding area;
 - e. List of dominant plant species on the parcel, including location, species, girth, height, and condition of protected trees;
 - f. Description of natural features, plant communities, wildlife habitats, and special environmental features of the site or region, and assessment of special-status natural communities; wetlands, and wildlife movement corridors found on the site or potentially affected by the project;
 - g. Discussion of potential for occurrence of special-status species on the site and map identifying the location of any special-status species observed on the site;
 - h. Description and results of any protocol surveys conducted;
 - i. Identification and map of any environmentally sensitive habitat on the site;
 - j. Discussion of the project's consistency with applicable policies from the General Plan and Land Use Plan;
 - k. Discussion of potential adverse impacts on biological resources;
 - l. Recommendations for further biological surveys, if deemed to be necessary for state and/or federal regulatory compliance; and
 - m. Recommended mitigation, minimization, and/or avoidance measures to compensate for potential impacts to significant biological resources, including description of alternative designs for the proposed project (if any are proposed) and how alternative designs relate to the biological resources on the site and alternative design impacts compare to those of the project.
- [3.](#) The City may require independent peer review of a biological assessment prepared by an applicant, at the applicant's expense.
- [4.](#) Identification of an area as environmentally sensitive habitat shall be based on field conditions as documented in the biological resources assessment.
- [5.](#) To the extent feasible, development shall be located on the portion of a parcel that has the least effect on biological resources, and the most intensive development shall be located as far from sensitive biological resources as feasible.

6. Development in environmentally sensitive habitat shall be limited to resource-dependent uses, except for limited residential development on existing vacant lots of record in the Asilomar Dunes Residential Area (R-1-B-4 District).
7. When a biological assessment identifies environmentally sensitive habitat and/or habitat with the potential for rare plants on a site, a botanical survey shall be conducted.
8. A botanical survey shall be conducted during the appropriate flowering season for each rare plant species potentially present [to the satisfaction of the Director](#).
9. The alteration of natural land forms and dune destabilization by development shall be minimized, as demonstrated by detailed grading plans which shall be submitted to the City before approval of a project. If a site is essentially level, this requirement may be waived.
10. For any site where development will disturb existing or potential native dune plant habitat or other environmentally sensitive habitat, a habitat restoration, enhancement, and protection plan shall be prepared and submitted to the City for approval prior to construction. Only plants locally native to dune or other environmentally sensitive habitat should be used for landscaping outside approved development envelopes.
11. Invasive non-native plants listed by the Monterey County Office of the Agricultural Commissioner, and non-native ice plants, pose a threat to the native plant community, and shall not be planted, [with an exception for Magic Carpet rosy ice plant \(*Drosanthemum floribundum*\) at Perkins Park and the planting and preservation of native milkweed species \(*Asclepias spp.*\) to support Monarchs](#).
12. Utility connections shall be installed in a single corridor if possible, and should be routed to avoid surface disturbance of areas identified as environmentally sensitive habitat. [Septic systems shall be properly decommissioned, and development shall be connected to the sanitary sewer system](#).
13. Areas identified as environmentally sensitive habitat shall be protected under easements, deed restrictions, or other legally binding agreements, which shall be approved as part of the Coastal Development Permit, and recorded prior to commencement of construction.
14. No subdivision shall be permitted on parcels containing environmentally sensitive habitat
15. No second units [or accessory structures](#) shall be permitted on parcels containing environmentally sensitive habitat.
16. Signs, communications towers, and utilities shall not be permitted in environmentally sensitive habitat.
17. In certain cases the environmental review or the coastal permit process may reveal an undeveloped private parcel which has an exceptional concentration of rare dune plants. Often, such parcels can be developed without significantly impairing these special qualities. However, where significant impairment is unavoidable, or where it is not feasible to develop the parcel in conformance with these policies, then acquisition and preservation by a charitable trust or public agency will be supported.
18. Restrictions shall be recorded on the property deed to protect environmentally sensitive habitat on the non-developed portions of a site from disturbance.

19. A buffer of at least 50 feet from the outer edge of the riparian vegetation or 100 feet in width from top of stream bank, or as recommended by a site-specific biological study, whichever is greater, in which no new development shall be permitted, shall be provided adjacent to wetlands, excepting existing legal non-conforming development.

20. The City shall prioritize the restoration, enhancement, and maintenance of public dune.

21. The City shall prioritize enforcement of permit conditions related to habitat restoration, enhancement, and protection.

F. Site- and Species-specific Development Standards for the Habitat Sensitivity Overlay

1. No development on a parcel containing environmentally sensitive habitat shall be approved unless the City is able to find that, as a result of the various protective measures applied, no significant disruption of such habitat will occur. In order that the City can make the required findings of no significant disruption, the specific requirements listed below shall apply:

a. Development and redevelopment shall meet site coverage limitations;

b. During construction, habitat areas containing Menzies' wallflowers or Tidestrom's lupines or other rare and endangered species shall be protected from disturbance. Temporary wire mesh fencing shall be placed around the habitat prior to construction and the protected area shall not be used by workers or machinery or for storage of materials. Compliance inspection(s) will be made during the construction phase;

2. Implementation of the Asilomar State Beach and Conference Grounds management and restoration plan shall be encouraged by the City to the extent it is consistent with the Local Coastal Program and the Coastal Act of 1976. Access shall be both safe and non-disruptive of sensitive habitat.

3. Forest resources shall be retained and new development shall be restricted to existing building envelopes or outside the forest-front area. Preservation of trees and planning of new trees is encouraged. A program should be established to propagate pine trees from local sources within Pacific Grove. This may be most effectively accomplished in coordination with the Asilomar Dunes restoration planning after assessment of the species and sizes of trees appropriate for anticipated replanting efforts.

The Asilomar State Beach and Conference Grounds shall implement a dune stabilization program, including limiting public access through the northern dunes, planting of native vegetation, and restricting development to existing footprints near the forest areas.

4. In the Lighthouse Reservation and Golf Course area, areas of extreme sensitivity should be protected by implementing the following measures:

a. Prevent further trampling by installing low fencing where necessary;

b. Do not allow machinery in the dune area;

c. Apply irrigation only on turf, not on the sand;

d. Continue to eliminate exotics and restore native dune plants on the Lighthouse Grounds; and

- e. Plant species in suitable areas which will enhance the overwintering habitat of the Monarch butterfly, by providing additional nectar and feeding sources consistent with the operations of a golf course.
5. Crespi Pond and the Majella Slough riparian areas shall be considered environmentally sensitive habitat, and only habitat maintenance activities are allowed. These areas shall be protected from any polluted runoff or other disturbances to waterfowl habitat. Carefully controlled dredging of Crespi Pond shall be permitted in order to prevent loss of this important wetland through eutrophication and sedimentation.
6. On the Union Pacific railroad right-of-way between Del Monte Boulevard and Sunset Drive, pampas grass should be eliminated. Landscaping should be compatible with the type of habitat through which the former railroad corridor passes and utilize native plants where that is the predominant adjacent vegetation type. Identify and protect Monarch butterfly overwintering sites, buffer trees, nectaring, and feeding areas within and adjacent to the former railroad route. Where developed for recreational trail or municipal golf course, or other uses, qualified biologists shall first identify such Monarch butterfly habitat. The project shall then be designed to avoid any significant disruption of the identified Monarch butterfly habitat, and where appropriate, the right-of-way shall be landscaped and permanently managed to enhance the habitat of this species.
7. In restoration efforts, include consideration and protection of habitat for black legless lizard.
8. Establish a program for the conservation of Black Oystercatcher and its habitat, including protections for active nests in coordination with the local Black Oystercatcher working group and other stakeholders such as California Department of Parks and Recreation, Audubon Society, Point Blue Conservation Science, and the Pacific Grove Museum of Natural History.
9. Humanely relocate mountain lions, bears, and other large predatory mammals that enter the Coastal Zone in consultation with the California Department of Fish and Wildlife, University of California at Santa Cruz's Puma Project, the Felidae Conservation Fund, and any other appropriate agencies.
10. Protection of Biological Resources seaward of Sunset Drive and Ocean View Avenue.
- a. Public access along the bluffs and shoreline shall be restricted to established trails.
- b. Public access areas adjacent to the bluffs should be clearly defined to protect bluff vegetation and reduce erosion.
- c. Fencing used to demark trails and control public access shall be designed with wildlife friendly characteristics and be reviewed and approved by a qualified biologist. The fence design should allow safe passage of traveling animals and dispersal of seeds, provide visibility to flying birds, avoid trapping wildlife on roads, and deter human foot traffic in sensitive areas. Fencing shall be no more than 42 inches high, leave at least 12 inches between the top 2 rails/wires, and leave 16 inches between the ground and the first rail/wire, prohibit the use of barbed wire, and be readily visible to flying birds/traveling mammals. Walls, if used along the recreation trail or associated viewpoints, shall not exceed 36 inches in height and provide a reasonable means of passage, either over the face of the wall, such as with steps or gripable texture, or around the ends.
- d. Trails shall be designed and maintained to minimize erosion.
- e. If parking areas or trails are re-configured, disturbed areas shall be revegetated.

- f. The extent of existing non-native plantings shall not be expanded, and all new or replacement plantings shall be species native to the natural habitat of the site, but allowing for replacement of Monterey pine, Monterey cypress, and coast live oak trees with the same, and for the retention of snags as wildlife habitat if public safety is not endangered.
 - g. Existing native bluff plant communities shall be protected (with barriers if appropriate), and enlarged where ice plant or other non-native plantings die back. [Magic Carpet rosy ice plant \(*Drosanthemum floribundum*\) may be retained and re-planted at Perkins Park.](#)
 - h. Install signage to [prohibit](#) feeding of wildlife with specific reference to Gulls, [Corvids](#) (Crows), and ground squirrels. Install [Corvid](#)-proof trash cans near picnic areas and food establishments.
 - i. [Prioritize use of](#) humane means of control not harmful to other wildlife if ground squirrel population control is required to prevent erosion.
11. Development in the Asilomar Dunes Residential Area (R-1-B-4 zoning district) shall be sited and designed to limit impacts on the dune habitats and visual landscapes, including through avoiding development antithetical to the open space dune environment [per Land Use Plan polices. In addition to the following requirements, development within the Asilomar Dunes Residential Area \(R-1-B-4 zoning district\) shall be subject to the following Development Standards regardless of the habitat sensitivity level.](#)
- a. Development shall be clustered, including in relation to adjacent development, to maximize continuous dune areas as much as possible, including through such means as shared driveways, which are encouraged.
 - b. Secondary units and other accessory buildings shall be prohibited.
 - c. Development shall minimize exterior lighting, including avoiding light spill into dune areas, and development shall limit glare (e.g., from windows and reflective surfaces), as much as possible.
 - d. [Areas of new dune coverage associated with development on legal lots of record in the Asilomar Dunes area shall be required to be mitigated on a 2:1 square foot basis through providing for on-site and/or offsite restoration/enhancement of degraded dune areas in the Asilomar Dunes area. Such requirement may be addressed through offsite restoration or proportionate contributions to the City's Environmental Enhancement Fund provided such funds are used for dune restoration, enhancement, and protection efforts in the Asilomar Dunes area, where on-site restoration does not fully mitigate the impact.](#)
 - e. Development shall use natural materials and hues that integrate and blend with the dune landscape as much as possible.
 - f. Development must incorporate landscape screening through dune restoration and native landscaping in such a way as to minimize impacts on the dune viewshed.
 - g. Development associated with non-conforming buildings that results in [redevelopment](#) shall require that all development on the site be brought into conformance with [current](#) Local Coastal Program [standards](#).

- h. Development associated with conforming buildings and within the lot coverage limit shall not be allowed to cover dune habitat, and dune habitat on the site shall be restored and permanently protected.
- i. Biological assessment prepared for development within the Asilomar Dunes Residential Area (R-1-B-4 zoning district) shall identify measures to maximize protection of dunes and other environmentally sensitive habitats. A habitat restoration, enhancement, and protection plan shall be prepared by a qualified dune restoration professional, for approval by the Director.
- j. For development on legal lots of record over one-half acre, maximum aggregate lot coverage shall be limited to 15 percent of the total lot area. For purposes of calculating lot coverage under this policy, residential buildings, driveways, patios, decks, and any other features that cover dune areas shall count as lot coverage.
- k. In special cases, up to 20% aggregate lot coverage may be allowed on legal lots of record for lots that are one-half acre or less to avoid hardship or where additional site coverage is essential for protecting public views.
- l. As feasible, the City shall maintain unfenced contiguous areas in the Asilomar Dunes Residential Area (R-1-B-4 zoning district) to allow for wildlife movement, native seed dispersal, and visual consistency.
- m. An additional 5 per-cent of the total lot area or 1,000 square feet, whichever is greater, may be used as Immediate Outdoor Living Space provided the area is contiguous to allowed coverage areas. Fencing for Immediate Outdoor Living Space adjacent to a residence may include a property line, but may not to exceed 1,000 square feet or 5 percent of the lot area, whichever is greater, and is allowed subject to City design review. Permeable surfaces are allowed in this area and shall not count as lot coverage.
- n. Fencing and other such barriers along any property boundary, except Immediate Outdoor Living Space fencing, shall be prohibited absent a conclusive showing that such fencing/barriers are more protective of the dune habitat and visual landscape than the prohibition. Allowed fences/barriers shall be limited to minimal symbolic fencing that is required to protect native dune habitat and allows for free passage of sand, seeds, and wildlife.
- o. Development shall only be approved if the area in the public right-of-way between the lot frontage and the paved portion of the road is also restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration, enhancement, and protection.
- p. A deed restriction designed to limit allowed development, use, and activities to those associated with dune restoration, enhancement and protection shall be recorded over lands that are set aside for habitat conservation.
- q. Sidewalks shall be prohibited in the Asilomar Dunes Residential Area (R-1-B-4 zoning district) unless the City makes a finding that sidewalks are necessary for public safety where heavy automobile traffic presents substantial hazards to pedestrians, no reasonable alternative exists and no significant loss of environmentally sensitive habitat would result. Pedestrian, ADA and other mobility improvements shall otherwise be limited to boardwalks that are sited and designed to best protect dune resources and public views, and to best integrate into existing and planned public recreational access systems.

- r. Subdivisions shall be prohibited, except where the purpose is solely to allow for dune restoration and other conservation uses on the entirety of such newly created parcel. The minimum parcel size for new sub-divisions is one-half acre properties fronting on Asilomar Avenue north of Pico Avenue, and one acre for all other areas of within Asilomar Dunes.

12. Non-federal re-development on the National Oceanic and Atmospheric Administration site on Lighthouse Avenue shall be required to maximize dune habitat restoration and preservation, Fencing shall be removed and site coverage reduced.

G. Development Standards for Extreme and High Habitat Sensitivity Areas.

1. Development in or within 100 feet of environmentally sensitive habitat shall require biological protections as part of the architectural permit.
2. These standards shall apply within the Asilomar Dunes Residential Area (R-1-B-4 zoning district) regardless of habitat sensitivity level.
3. Development on parcels containing or within 100 feet of environmentally sensitive habitats, shall be permitted only where the City can make a finding that development will not have a significant adverse impact on the habitat's long-term maintenance or the long-term sustainability of biological resources. Development shall only be approved where measures are implemented to ensure the long-term maintenance of the habitat and minimize habitat loss and disturbance. These measures could include but are not limited to:
 - a. Limitations on building footprint size
 - b. Limitations on paved areas, decks, non-native landscaping, and other appurtenant features;
 - c. Restrictions on exterior lighting;
 - d. Restrictions on property line fencing;
 - e. Siting requirements to consolidate development on limited portions of the parcel or areas contiguous to developed portions of adjacent parcels with the intent of maintaining larger contiguous areas of habitat; and
 - f. Site structures in required setback areas if the movement ensures minimizing the loss or disturbance of sensitive habitat,
4. One house may be constructed on a legal lot of record provided that the development area is limited in size and located in the portion of the lot that results in the least impact on protected biological resources, unless natural hazard constraints require development in areas where protected biological resources would be affected.
5. Preconstruction surveys for protected species identified in the biological assessment as potentially occurring shall be conducted.
6. Protocol biological surveys shall be conducted if required by the biological assessment.
7. Development shall be planned, sited, and designed to protect environmentally sensitive habitat from disruption of habitat values resulting from the discharge of storm water or dry weather flows.

8. Degraded habitat on the parcel shall be restored concurrent with development; [however, this requirement shall not apply within private outdoor living space.](#)
9. Development footprints shall not be expanded; however, the footprint may be relocated within the site if there is a benefit to overall biological conservation.
10. Buried features, such as utility connections shall not be counted as coverage so long as the restoration and maintenance of native plant habitats is completed following installation.
11. The siting of each new development and the expected area of disturbance around each residence shall be individually reviewed by the City, with due consideration given to the minimization of dune destabilization and disturbance to endangered plants and their habitat.

H. Development Standards for Moderate Habitat Sensitivity Areas.

1. Development in environmentally sensitive habitat shall require biological protections as part of the permit.
2. Development within the Asilomar Dunes Residential Area (R-1-B-4 zoning district) shall be subject to the standards for High Habitat Sensitivity Areas
3. Development in environmentally sensitive habitats shall be permitted only where the City can make a finding that development will not have a significant adverse impact on the habitat's long-term maintenance or the long-term sustainability of biological resources. Development shall only be approved where measures are implemented to ensure the long-term maintenance of the habitat and minimize habitat loss and disturbance. These measures could include but are not limited to:
 - a. Limitations on building footprint size;
 - b. Limitations on paved areas, decks, non-native landscaping, and other appurtenant features;
 - c. Restrictions on exterior lighting;
 - d. Prohibition on property line fencing; posts to [4](#) feet in height and set [10](#) feet on center may be used to mark property lines;
 - e. Siting requirements to consolidate development on limited portions of the parcel or areas contiguous to developed portions of adjacent parcels with the intent of maintaining larger contiguous areas of habitat; and
 - f. Site structures in required setback areas if the movement ensures minimizing the loss or disturbance of sensitive habitat,
4. One house may be constructed on a legal lot of record provided that the development area is limited in size and located in the portion of the lot that results in the least impact on protected biological resources, unless natural hazard constraints require development in areas where protected biological resources would be affected.
5. Preconstruction surveys for protected species identified in the biological assessment as potentially occurring shall be conducted.

6. Protocol biological surveys shall be conducted if required by the biological assessment.
7. Development shall be planned, sited, and designed to protect environmentally sensitive habitat from disruption of habitat values resulting from the discharge of storm water or dry weather flows.

23.90.180 Major Vegetation

A. Major Vegetation. Certain trees are classified as major vegetation as specified below:

1. Native Trees. All Gowen Cypress, regardless of size; all Coast Live Oak, Monterey Cypress, Shore Pine, Torrey Pine, and Monterey Pine 6 inches or greater in trunk diameter, when measured at 54 inches above native grade.

B. Permits Required. In accordance with Section 23.90.030, a Coastal Development Permit is required for

1. The complete removal of major vegetation with the exception of dead major vegetation;
2. New planting of major vegetation within the Habitat Sensitivity Overlay, or in areas identified as environmentally sensitive habitat.

C. Findings for Coastal Development Permit. In approving a coastal development permit for removal of major vegetation the City shall make the following findings:

1. The major vegetation to be removed is diseased, or dying;
2. The major vegetation is not part of any environmentally sensitive habitat area or riparian habitat;
3. Removal of the major vegetation will not affect public views or the forested character of the area;
4. Removal of the major vegetation will not adversely impact coastal resources, public access or public recreation opportunities and is consistent with policies of the Coastal Act.

In approving a coastal development permit for new plantings of major vegetation the City shall make the following findings:

1. The new major vegetation will not adversely affect the habitat value of any environmentally sensitive habitat area or riparian habitat;
2. The new major vegetation will not adversely affect public views;
3. The new major vegetation will not adversely impact coastal resources, public access or public recreation opportunities and is consistent with policies of the Coastal Act.

~~C~~.D. New Trees in Sensitive Areas. Trees to be planted should be selected from a list of appropriate native landscape trees for Pacific Grove. The planting and maintenance of trees shall be in accordance with the City's Urban Forestry Standards. Planting of public and street trees shall be in conformance with an approved management plan for trees on public property, including a street tree landscaping plan, developed and updated from time to time by the Beautification and Natural Resources Commission and approved by the City Council. A habitat restoration or enhancement plan shall be prepared for environmentally sensitive habitat areas prior to issuance of a Coastal Development Permit for major new vegetation, and plantings shall conform to the approved plan.

23.90.190 Community Design

In order to protect and maintain the City's relationship to its unique natural setting and overall low scale character of existing development, and to promote orderly development, the City adopts the following regulations:

- A. Residential densities, with the exception of second units, shall not exceed those specified on the Local Coastal Program Land Use Plan.
- B. Heights shall be specified in the zoning districts. The limit will vary by district, but in no case shall it be more than 3 stories and 40 feet high. In the Asilomar Dunes Residential Area, development within lots that abut Sunset Drive shall be limited to 1 story and 20 feet high, with development allowed at up to 2 stories and 25 feet high 2 within all other lots in the area so long as dune visual resources are protected.
- C. Development in scenic areas shall minimize land coverage, grading and height and provide for setbacks adjacent to public open space areas. Stepped buildings may be required on sloped parcels.
- D. In the Asilomar Dunes Neighborhood, earth tone color schemes and other design features that assist in subordinating the structure to the natural setting shall be utilized.
- E. Commercial development, development at Lovers Point, the Hopkins Marine Lab and Lighthouse Reservation shall be of a scale, mass, and architectural character compatible with the community character and will take into account the size and scale of adjacent development.
- F. Signs
 - 1. Signs shall not be placed such that protected views are obscured or so frequently that the landscape is cluttered. In general, signs should be scaled for pedestrians within open space areas. Signs shall not detract from the area's scenic qualities.
 - 2. Illuminated signs shall not result in light levels exceeding standards for ambient lighting.
 - 3. New freestanding commercial signs are prohibited.
 - 4. Signs that result in reductions, restrictions, or limitations of public access shall require a Coastal Development Permit.
 - 5. The Coastal Parks Plan update shall include a sign program to ensure consistent information and presentation, and provide standards for the protection of the views and visual character of the shoreline.
- G. Lighting
 - 1. New lighting fixtures shall be mounted no higher 14 feet above grade, fully shielded to direct light downward and away from the shoreline and not exceed 60 watts.

23.90.200 Cultural Resources

In order to protect the City's archaeological and historic resources, the City adopts the following regulations:

- A. All locations within the Coastal Zone are designated as areas of high archeological sensitivity.

- B.** For projects that include soil disturbance, an archeological report shall be prepared by a qualified archeologist prior to approval of the project. Landscaping and gardening that does not involve construction of structures or changes to the site contours greater than 1 foot, is exempt from this requirement. The City shall consult with the Ohlone Costanoan Esselen Nation in accordance with State law.
- C.** The archeological report shall include the following information:
1. Site information including location, parcel number, address, owner, applicant, parcel size, location of structures or improvements, and applicable maps;
 2. Review of relevant scientific literature or past archeological reports describing archeological resources on the site or on adjacent lands;
 3. Searches of the California Historical Resources Information System and Native American Heritage Commission Sacred Lands File;
 4. Documentation of consultation with appropriate tribes as required by state law;
 5. Date and findings of a preliminary archaeological reconnaissance;
 6. Discussion of potential adverse impacts on archaeological resources;
 7. Recommendations for further archaeological surveys, if deemed to be necessary; and
 8. Recommended mitigation, minimization, and/or avoidance measures to compensate for potential impacts to significant archeological resources, including description of alternative designs for the proposed project (if any are proposed) and how alternative designs relate to the archaeological resources on the site and alternative design impacts compare to those of the project.
- D.** New development and exterior modification of buildings within the Pacific Grove Retreat, Mermaid Lane, and Asilomar Conference Grounds should conform to the current building scale of the areas and match or complement the predominant architectural character. Original building lines should be maintained to the extent feasible, and alteration shall conform to the Secretary of the Interior standards for historic resources when applicable. Structures not currently conforming to or complementing the predominant architectural character should be brought closer to conformance if alterations exceed the threshold for redevelopment.
- E.** Public works projects within the Pacific Grove Retreat, Mermaid Avenue, and Asilomar Conference Grounds shall be consistent with maintaining the current scale and character of the area.
- F.** Historic or architecturally unique structures throughout the Coastal Zone shall be maintained to the fullest extent possible. The City will encourage preservation and, to the extent feasible, facilitate funding or grants for preservation
- G.** The City shall maintain a current list of historic resources within the Coastal Zone
- H.** For new projects that include demolition or alterations to listed historical resources, a Historical Assessment Report prepared by a qualified professional is required prior to approval of the project. The lead author must meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61) in history or architectural history.

- I. Projects involving archaeological or historical resources may be subject to environmental review under the California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA).

23.90.210 Public Infrastructure.

The City shall strive to maintain a robust and up to date public infrastructure in the coastal zone that is protected against coastal hazards such as sea level rise. Potable water, sanitary sewer, storm drain sewer, water conservation, reuse of waste water, and infiltration of storm water comprise primary components of the City's water infrastructure system that serve coastal access and protect marine resources. Roads, trails, pedestrian, transit, and bicycle facilities form vital transportation infrastructure that provides coastal access.

- A. The City shall coordinate with other agencies that maintain public utilities in the coastal zone, particularly in any hazard areas, when any changes are proposed.

- B. When underground sewer and water utility lines within the projected inundation area are replaced, or new lines installed, the lines shall be located outside the projected inundation area to the extent feasible. Underground utilities shall be placed beyond the projected reach of bluff erosion during the anticipated lifespan of the utility line. New or replacement installations of critical utility equipment shall not be allowed within the projected inundation area unless they are elevated above, sealed from, or otherwise protected from inundation. Critical utility equipment shall be placed beyond the projected reach of bluff erosion during the anticipated lifespan of the equipment and associated lines. Lines shall be sized to accommodate existing or planned growth. New or replacement electrical lines and communications lines shall be undergrounded to the extent feasible.

- C. Storm water outfalls shall be placed at the location determined most suitable and feasible. Terminations of outfalls shall be allowed below mean high tide line only when the outfall design accommodates such location. Terminations of outfalls above mean high tide line shall be flush to (or recessed into if feasible) the bluff face, and shall be retreated when they extend unsupported more than 3 feet beyond bluff face. Furthermore, outfalls shall be sited and designed to minimize public view impacts including as seen from the beach and other shoreline public viewing areas as much as possible, including through concealing, screening, and camouflaging outfalls, and through the use of natural storm and energy dissipaters to reduce erosion and improve visual appearance. Storm water outfalls shall be consolidated when feasible, and no net increase in the number of outfalls shall be allowed.

- D. The City shall maintain and update its list of water allocations, and to the maximum extent feasible, prioritize coastal-dependent uses for water allocations within the Coastal Zone. This allocation shall include considerations of constrained and unconstrained water demand, taking into account sources and timing of new water supply, as well as the City's overall land use and economic policies. Each permit issued shall include a finding that an adequate allocation exists, and that a long-term water public supply is available.

- E. The use of water conserving fixtures and water conserving landscaping shall be required for all City and private projects. The use of xeriscape landscaping, reclaimed water and captured storm water for irrigation, and on-site infiltration of storm water, shall be required to the greatest extent feasible. The use of recycled water for irrigation of large landscaped areas and the golf course shall be required when a recycled water supply is reasonably available. Wastewater shall be either disposed to a treatment plant with a high level of treatment, or treated for application to landscapes.

- F. The City shall explore various options for relocating or protecting circulation facilities from sea level rise including streets, trails, and bicycle lanes. Newly built facilities shall be set back beyond

the projected reach of bluff erosion during the anticipated lifespan of the facility. [The Coastal Parks Plan, when updated, shall include a Sea Level Rise Adaptation Plan and requirements for complete streets to serve transit, bicycles, and pedestrians, including the provision of bicycle lanes, walking paths, and accommodation for transit stops along Ocean View Boulevard and Sunset Drive.](#)

- G. Public works and private construction projects that result in reduction of traffic capacity during peak summer months or for more than 1 week shall require approval of a temporary traffic handling plan.
- H. Special events that result in an increase in traffic of more than 25 percent over average hourly traffic volumes shall require approval of a temporary traffic handling plan.
- I. Special events that result in an increase in traffic of more than 35 percent over average hourly traffic volumes shall require shuttles and shall provide bicycle parking service.
- J. The Coastal Parks Plan, when updated, shall include requirements for complete streets to serve transit, bicycles, and pedestrians, including the provision of bicycle lanes, walking paths, and accommodation for transit stops along Ocean View Boulevard and Sunset Drive.
- K. [Bicycle parking shall be provided for all development projects at a ratio of 1 bicycle rack per every 4 automobile parking spaces. Adequate vehicular parking, including universal access spaces, shall be provided. Enhancements to existing transit facilities shall also be included to increase use of transit.](#)

23.90.220 Parks, Recreation, and Public Access.

In order to protect the public's access to the Coastal Zone for recreation, scenic views, and appreciation and study of the natural environment, the City adopts the following regulations:

- A. The Coastal Parks Plan is part of the City's Local Coastal Program, and shall be updated by the City from time to time, consistent with the policies of the Land Use Plan and the California Coastal Act of 1976. The Coastal Parks Plan shall be updated to ensure public coastal access by providing standards for accessways, access and parking controls only to the extent necessary to protect coastal resources, strategies for preserving coastal access in the face of sea level rise, standards for signs, and maintenance standards and procedures, The Coastal Parks Plan shall include trail standards, including bicycle path standards consistent with the Caltrans Highway Design Manual. The Coastal Parks Plan shall include provisions for the following:
 1. Planning Area I: Maintain existing Pacific Grove Coastal Recreation Trail. Encourage Hopkins Marine Station to maintain a visually unobtrusive security fence, 1 that complements the environment and character of the surrounding neighborhood, without negatively impacting the habitat or the scientific mission of the Station. Encourage enhanced visitor/public access, circulation and parking at the American Tin Cannery building/property.
 2. Planning Area II: [Provide](#) well-defined trails along the bluffs with stairways to provide access to the water and direct recreation to Berwick Park, while at the same time balancing the need to protect Environmentally Sensitive Habitat Areas.
 3. Planning Areas III and IV: [Create](#) a formal trails network and restore native vegetation [\(with an exception at Perkins Park to allow Magic Carpet rosy ice plant\)](#) and reduce erosion by directing pedestrians to beach stairways along the coast. Create an alternative alignment for the proposed recreation trail extension from Lovers Point to Asilomar and Spanish Bay to the degree this provides better and more maximum public access.

4. Planning Area IV: Clearly define parking areas from 17 Mile Drive west to protect bluff vegetation and reduce erosion while maximizing public coastal access and seek means to reduce conflicts between automobiles and pedestrians/cyclists (e.g. ingress/egress direction, etc.). Abandon and remove all irrigation lines that result in runoff over coastal bluffs. Redirect urban runoff away from bluffs faces to prevent erosion of trails and bluffs. Study alternatives to address erosion of the coastal bluff at Esplanade including realignment of the blufftop coastal trail and or shoreline protective devices at severely eroded sea cave notches in the bluff; Remove all man made construction (concrete) debris from bluffs faces and intertidal areas. Implement the Point Pinos Coastal Trail project.
 5. Planning Area V: (Union Pacific Railroad Right of Way Trail) The City shall pursue extension of the recreation trail to connect Lover's Point to the vicinity of Asilomar State Conference Grounds. Because the right-of way is now privately owned at the mobile home park and also passes through the golf course and residential areas, a study shall be conducted to determine the best trail alignment in the vicinity of the mobile home park and the golf course, and the need to use "privacy buffer areas" adjacent to residential neighborhoods.
 6. Planning Area VI: On state-owned lands west of Sunset Drive, design parking areas and other improvements to reduce habitat damage by vehicles and reduce conflicts with pedestrians/bicyclists. Include designated access which is both safe and non-disruptive of sensitive habitats.
 7. Planning Areas I, II, III, IV, and VI: develop an accessways maintenance program for all existing and new shoreline accessways.
 8. Delineate specific tour bus pullout areas, and prohibit tour bus parking in other Coastal Zone areas.
 9. Consider relocation or renovation of parking areas to reduce erosion.
 10. Develop adaptation strategies for the potential of higher storm waves, erosion, and other coastal hazards due to anticipated sea level rise. Strategies may include considering the addition of natural boulders to the shore area in key locations to dissipate wave energy; a plan for relocation of stair wells and access trails, points and signage, etc.; or other strategies that protect/preserve public access and recreation opportunities.
- B.** The City shall provide the maximum access to public lands in the coastal bluffs and immediate shoreline, within the constraints of protecting public rights, rights of private property owners, and natural resource areas from overuse.
1. The City shall conspicuously post signs identifying coastal access trails and points.
 2. The City shall provide a variety of access opportunities, including trails to the water, overlooks, and recreational paths.
 3. The City shall provide access, consistent with safety needs, during daylight hours as well as limited access after dusk and before dawn on the coastal trail and former railroad right-of-way.
 4. Where feasible, given topographical constraints, the City shall provide access to persons with physical disabilities.
 5. The City shall distribute public facilities and parking facilities, including bicycle parking, throughout the Coastal Zone to minimize overuse and crowding.
 6. New or renovated parking along Sunset Drive and Ocean View Drive shall be located only on less biologically sensitive locations to the inland side of the street, and pedestrian crossings provided.

7. The City may decide to meter current public parking spaces in appropriate places in order to establish a dedicated funding source to improve and enhance coastal access and restoration of degraded habitat.

C. The City shall permit maximum access to recreational opportunities, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

1. The City shall pursue extension of the recreation trail along the railroad right-of-way, or a similar alignment, to connect Lover's Point to the vicinity of Asilomar State Conference Grounds. A study shall be conducted to determine the best trail alignment to circumvent the mobile home park and the golf course.
2. The City shall obtain fee title or easements as necessary, and to the extent feasible, to provide a corridor for the trail extension.
3. Pedestrian trail width may be reduced to 4 feet where the habitat is considered fragile and where damage to dune vegetation and in particular rare and endangered flora is likely to result with wider trails. These requirements may be satisfied as follows:
 - a. Point Cabrillo: dedication and construction of vertical accessways at locations shown on the Land Use Plan Shoreline Access Map;
 - b. Asilomar Dunes: dedication of blufftop lateral access easement to an appropriate public agency or private conservation foundation, where private residential use could otherwise impair such access; and
 - c. Sunset-Crocker Commercial District: installation of sidewalks and bike lanes where parcels designated Commercial and Visitor Accommodation front on Sunset Drive.
4. Public vertical access easements to the ocean shall have the following minimum widths:
 - a. 10 feet for walkways and 5 feet for stairways to the shoreline; and
 - b. At least 10 feet and generally no more than 25 feet-inland from the mean high tide line.
5. Commercial services complimentary to recreational use shall continue at Lover's Point Park.
6. Only water-dependent recreational activities shall be allowed at the immediate shoreline.
7. The City shall include bicycle and pedestrian accommodations in any road construction projects along Ocean View Boulevard, including a continuous pedestrian pathway or sidewalk to the seaward side of Ocean View Boulevard from Lover's Point Park to Asilomar State Beach. In providing bicycle and pedestrian access, the City will endeavor to maintain the overall existing parking capacity along Ocean View Boulevard.
8. The City may seek to meter current public parking with reasonable rates in appropriate places in order to establish a dedicated funding source to improve and enhance coastal access with a coastal development permit.

D. The City shall permit maximum access to overnight accommodations, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse

E. The City shall allow and promote a variety of accommodation types in order to serve as many cost ranges as possible by encouraging new visitor-serving development to design a self-directed program or solution for providing low-cost overnight stays

- F.** Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred
- G.** Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects.
1. Access need not be provided where it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, or where adequate access exists nearby.
 2. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
- H.** Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- I.** Development with the potential to impact public access, whether during construction or after, shall develop a Public Access Management Plan designed to identify and limit impacts to public access. Plans shall identify peak use times and measures to avoid disruption during those times, minimize road and trail closures, identify alternative access routes, and provide for public safety. Plans associated with temporary events shall include additional strategies to avoid impacts to parking and access, including, but not limited to, the use of shuttles to off-site parking locations and bike valet programs.
- J.** New development shall ensure that public access opportunities are maximized, including though offsetting any temporary (e.g., during construction) and potential permanent impacts to public access (including in terms of increased traffic leading to impacts to public access use of the City's circulation system) appropriately and proportionally. Development shall provide for public access enhancements and improvements as much as possible, including in terms of providing public access use areas in private development projects (e.g., visitor serving development) as appropriate. Development that does not meet these requirements shall be denied.

23.90.230 R-1 (CZ) District and R-1-B (CZ) Combined Districts

Sections:

A Generally.

B Uses permitted.

D Building height limit.

E Allowed building coverage.

F Allowed site coverage.

G Allowed gross floor area.

H Yards required – Garage openings – Architectural feature projections.

I Off-street parking.

J Building site area required.**K R-1-B-4 (CZ) districts.****A. Generally.**

The regulations in this chapter shall apply in all R-1 (CZ), R-1-B-2 (CZ), R-1-B-3 (CZ) and R-1-B-4 (CZ) districts, and shall be subject to the other applicable provisions of the PGMC. [Ord. 96-14 § 3, 1996; Ord. 210 N.S. § 11-131(1), 1952].

B. Uses permitted.

The following uses are permitted in the R-1 (CZ), R-1-B-2 (CZ), R-1-B-3 (CZ) and R-2-B-4 (CZ) districts. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC 23.90.030.

1. Single-family dwellings.
2. Accessory buildings and structures, except in the Asilomar Dunes Residential Area (R-1-B-4 (CZ) zoning district).
3. Accessory uses normally incidental to single-family residences. (This shall be construed as prohibiting any commercial or industrial use.)
4. Second units, except in the Asilomar Dunes Residential Area (R-1-B-4 (CZ) zoning district).
5. Home business provided that the following businesses shall not be allowed: food handling, processing or packing for gain; harboring, training or raising of dogs, cats, birds or other animals for gain; repairs of any nature, including automobile and/or body and fender repair. Home businesses shall be subject to the following limitations:
 - a. No employee other than members of the family inhabiting the on-site dwelling shall be permitted.
 - b. No industrial or heavy commercial machinery shall be employed.
 - c. The business shall not generate pedestrian or vehicular traffic.
 - d. Commercial vehicles shall not be used for delivery of materials to or from the premises, and no trucks advertising the business shall be employed in the business, except that a contractor's name, telephone number and state license number may be indicated.
 - e. No more than 1 room in the dwelling shall be employed for the business.
 - f. In no manner shall the appearance of the structure or the operation of the business give any indication to the exterior by odor, construction materials, lighting, signs, sounds, noises or vibrations that the site is used for other than residential purposes.
 - g. The business shall not require the installation of utility service in excess of normal dwelling requirements or place a load on garbage, sewer or community facilities beyond normal dwelling requirements.
 - h. No goods shall be sold on the premises. Supplies necessary to the business, and finished products produced by the business, may be retained in the room used for the business.

- i. No advertising of any nature shall be permitted, except that a name and telephone number, but no address, may be indicated in a telephone listing, business card or stationery.
- j. All persons conducting such business shall obtain all required business licenses and permits. Possession of such license or permit shall not excuse compliance with this subsection. [Ord. 03-08 § 2, 2003; Ord. 00-18 § 3, 2000; Ord. 98-14 § 1, 1998; Ord. 96-14 § 12, 1996; Ord. 1848 N.S. § 3, 1992; Ord. 1765 N.S. § 15, 1991; Ord. 1327 N.S. § 2, 1983; Ord. 1306 N.S. § 1, 1982; Ord. 869 N.S. § 1, 1975; Ord. 811 N.S., 1974; Ord. 551 N.S. § 5, 1966; Ord. 532 N.S. §§ 1, 2, 1966; Ord. 523 N.S. § 2, 1965; Ord. 210 N.S. § 11-131(1)(a), 1952].

6. [Scenic](#) reserves and natural habitat reserves.

C. Building height limit. The maximum height of main buildings shall be 25 feet. [Ord. 00-18 § 4, 2000; Ord. 00-15 § 3, 2000; Ord. 96-14 § 6, 1996]. In the R-1-B-4 (CZ) district the height limit shall be 20 feet for all buildings or structures fronting Sunset Drive.

D. Allowed building coverage. Maximum building coverage is:

- 1. Sites up to and including 4,000 square feet in size: 45 percent
- 2. Sites greater than 4,000 square feet in size: 40 percent. [Ord. 12-003 § 3, 2012; Ord. 00-15 § 4, 2000; Ord. 96-14 § 7, 1996]
- 3. Sites in the R-1-B-4 (CZ) district, [building coverage is included in the site coverage maximum and may be](#) no greater than the site coverage.

E. Allowed site coverage.

- 1. Maximum site coverage on all sites in the R-1, R-1-B-2, and R-1-B-3 (CZ) districts is 60 percent. [Ord. 12-003 § 3, 2012].
- 2. Maximum site coverage on sites of one half acre or less in the R-1-B-4 (CZ) district is 20 percent. Maximum site coverage on sites of more than one half acre in the R-1-B-4 (CZ) district is 15 percent. [An additional 5% may be permitted for Immediate Outdoor Living Space. See PGMC § 23.90.170.](#)

F. Allowed gross floor area. Maximum gross floor area is as follows, but may be further limited in the R-1-B-4 (CZ) district for the protection of views, natural resources, and other resources:

Table 23.90.230

Lot Size	Floor Area
1,000	550
1,100	605
1,200	660
1,300	715
1,400	770
1,500	825
1,600	880

1,700	935
1,800	990
1,900	1,045
2,000	1,100
2,100	1,155
2,200	1,210
2,300	1,265
2,400	1,320
2,500	1,375
2,600	1,430
2,700	1,485
2,800	1,540
2,900	1,595
3,000	1,650
3,100	1,705
3,200	1,760
3,300	1,815
3,400	1,870
3,500	1,925
3,600	1,980
3,700	2,035
3,800	2,090
3,900	2,145
4,000	2,200
4,100	2,235
4,200	2,269
4,300	2,304
4,400	2,338
4,500	2,373
4,600	2,407
4,700	2,442
4,800	2,476
4,900	2,511
5,000	2,545
5,100	2,580
5,200	2,614
5,300	2,649
5,400	2,683

5,500	2,718
5,600	2,752
5,700	2,787
5,800	2,821
5,900	2,856
6,000	2,890
6,100	2,925
6,200	2,959
6,300	2,994
6,400	3,028
6,500	3,063
6,600	3,097
6,700	3,132
6,800	3,166
6,900	3,201
7,000	3,235
7,100	3,270
7,200	3,304
7,300	3,339
7,400	3,373
7,500	3,408
7,600	3,442
7,700	3,477
7,800	3,511
7,900	3,546
8,000	3,580
8,100	3,596
8,200	3,611
8,300	3,627
8,400	3,642
8,500	3,658
8,600	3,673
8,700	3,689
8,800	3,704
8,900	3,720
9,000	3,735
9,100	3,751
9,200	3,766

9,300	3,782
9,400	3,797
9,500	3,813
9,600	3,828
9,700	3,844
9,800	3,859
9,900	3,875
10,000	3,890
10,100	3,906
10,200	3,921
10,300	3,937
10,400	3,952
10,500	3,968
10,600	3,983
10,700	3,999
10,800	4,014
10,900	4,030
11,000	4,045
11,100	4,061
11,200	4,076
11,300	4,092
11,400	4,107
11,500	4,123
11,600	4,138
11,700	4,154
11,800	4,169
11,900	4,185
12,000	4,200
12,100	4,216
12,200	4,231
12,300	4,247
12,400	4,262
12,500	4,278
12,600	4,293
12,700	4,309
12,800	4,324
12,900	4,340
13,000	4,355

13,100	4,371
13,200	4,386
13,300	4,402
13,400	4,417
13,500	4,433
13,600	4,448
13,700	4,464
13,800	4,479
13,900	4,495
14,000	4,510
14,100	4,526
14,200	4,541
14,300	4,557
14,400	4,572
14,500	4,588
14,600	4,603
14,700	4,619
14,800	4,634
14,900	4,650
15,000	4,665
15,100	4,681
15,200	4,696
15,300	4,712
15,400	4,727
15,500	4,743
15,600	4,758
15,700	4,774
15,800	4,789
15,900	4,805
16,000	4,820
16,100	4,836
16,200	4,851
16,300	4,867
16,400	4,882
16,500	4,898
16,600	4,913
16,700	4,929
16,800	4,944

16,900	4,960
17,000	4,975
17,100	4,991
17,200	5,006
17,300	5,022
17,400	5,037
17,500	5,053
17,600	5,068
17,700	5,084
17,800	5,099
17,900	5,115
18,000	5,130
18,100	5,146
18,200	5,161
18,300	5,177
18,400	5,192
18,500	5,208
18,600	5,223
18,700	5,239
18,800	5,254
18,900	5,270
19,000	5,285
20,000	5,440
21,000	5,595
22,000	5,750
23,000	5,905
24,000 and larger	6,000

[Ord. 12-003 § 3, 2012; Ord. 00-15 § 5, 2000; Ord. 96-14 § 8, 1996].

G. Yards required – Garage openings – Architectural feature projections.

1. Front Yards.

- a. Front Yards in the R-1 (CZ) district: Minimum of 15 feet.
- b. Front Yards in the R-1-B-2 (CZ), R-1-B-3 (CZ), and R-1-B-4 (CZ) districts: Minimum 20 feet. In the R-1-B-4 (CZ), within 75 feet from Sunset Drive, the area shall be included within a scenic easement. Driveways and landscaping are allowed within the front yards.

2. Side Yards.

- a. Side Yards for Interior Sites: 10 percent of site width, with minimum of 3 feet and maximum required 10 feet. Exception: with a use permit, the total of side yards may be

20 percent of site width with a minimum 3 feet required on each side; maximum required on each side is 10 feet.

b. Side Yards for Corner Sites: The side yard abutting the street shall be 20 percent of site width, but need not exceed 10 feet.

3. Rear Yards

a. Rear Yards in R-1 (CZ) district: Minimum of 10 feet.

b. Rear Yards in R-1-B-2 (CZ) and R-1-B-3 (CZ) district: 20 percent of lot depth, with a minimum of 20 feet and a maximum requirement of 25 feet.

c. Rear Yards in R-1-B-4 (CZ) district: Minimum 20 feet.

4. In the R-1-B-4 (CZ) district, the setbacks may be modified with a Coastal Development Permit for the purpose of preserving views, biological resources, and other resources.

5. Garage Openings. Any garage or carport opening facing a street shall be set back a minimum of 20 feet.

6. Projection of Architectural Features. Architectural features such as cornices, eaves, canopies, and windows that do not increase floor area may extend no more than 3 feet into any required yard but in no case closer than 3 feet to any property line. [Ord. 00-15 § 6, 2000; Ord. 96-14 § 9, 1996].

H. Off-street parking.

1. The minimum number and sort of off-street parking shall be as follows-:

Lot Size (Square Feet)	Off-Street Parking Required
Through 2,699	None required
2,700 and larger	1 covered and 1 uncovered

I. Building site area required.

1. Area and Width.

a. For each dwelling in the R-1 (CZ) district, a minimum of 5,000 square feet and a minimum width of 50 feet shall be required.

b. For each dwelling in the R-1-B-2 (CZ) district, a minimum 6,000 square feet and a minimum width of 60 feet shall be required.

c. For each dwelling in the R-1-B-3 (CZ) district, a minimum of 10,000 square feet and a minimum width of 70 feet shall be required.

d. For each dwelling in the R-1-B-4 (CZ) district, a minimum of 1 half acre and a minimum width of 100 feet shall be required. In the R-1-B-4 district, 1 house may be constructed on a legal lot of record provided that the development area is limited in size and located in the portion of the lot that results in the least impact on protected views, unless natural

hazard or biological resources constraints require development in areas where protected public views would be affected.

2. Except as provided by PGMC [§ 23.90.230 B](#), in no case shall there be more than 1 single-family dwelling on a building site. [Ord. 96-14 § 11, 1996].

J. R-1-B-4 (CZ) [Asilomar Dunes Residential Area](#) district.

1. The following regulations, [in addition to those in Scenic Resources § 23.90.160, Biological Resources and Environmentally Sensitive Habitat Areas § 23.90.170, and any other applicable section](#), shall apply in all R-1-B-4 (CZ) combined district.
 - a. Accessory structures are prohibited.
 - b. Earth tone color [schemes and other design features that assist in subordinating the structure to the natural setting shall be utilized.](#)
 - c. [No subdivision is permitted except for conservation purposes.](#)
 - d. [Lot and building coverage and landscaping may be further restricted by regulations in Biological Resources and Environmentally Sensitive Habitat and Scenic Resources.](#)
 - e. Other restrictions as may be imposed by [this](#) Chapter including but not limited to biological studies and archeological studies.

[23.90.240](#) R-3 (CZ) Districts

Sections:

[A Generally.](#)

[B Uses permitted.](#)

[C Building height limit.](#)

[D Building site area required.](#)

[E Allowed building coverage.](#)

[F Allowed site coverage.](#)

[G Yards required.](#)

[H Garbage areas.](#)

[I Off-street parking.](#)

- A. Generally.** The regulations found in this chapter shall apply to all R-3 (CZ) districts and shall be subject to the other applicable provisions of the PGMC. [Ord. 382 N.S., 1962; Ord. 210 N.S. § 11-133(1)(a), 1952].

B. Uses permitted. The following uses shall be permitted in the R-3 (CZ) district. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC 23.90.030.

1. Single- or two-family dwellings;
2. Second units;
3. Multiple dwellings, apartment houses and dwelling groups; subject to first securing a use permit and Coastal Development Permit in either of the following cases:
 - a. The total number of family units shall exceed 7 on a building site; or
 - b. The proposed development includes on a single building site, a combination of a structure already on the site (whether or not altered) with a new structure or additions to a structure already on the site.
4. Rooming or boarding houses, subject to first securing a use permit and Coastal Development Permit;
5. Accessory uses and buildings normally incidental to any in this section.

C. Building height limit. The maximum height of main buildings shall be 30 feet. [Ord. 00-18 § 6, 2000; Ord. 1141 N.S. § 3, 1979; Ord. 720 N.S. § 3, 1972; Ord. 210 N.S. § 11-133(1)(b), 1952].

D. Building site area required. For each building, or group of buildings, a minimum of 4,000 square feet and minimum width of 40 feet shall be required on interior lots. A minimum of 6,000 square feet and a minimum width of 60 feet shall be required on corner lots. In the Pacific Grove Retreat, where the lot sizes, as legally subdivided, are 30 by 60 feet, the minimum lot size shall be 3,600 square feet, with the lot lines along the lines of said subdivisions. Nothing contained herein shall authorize such smaller minimum lot sizes for any future subdivisions.

For each family unit in any building or group of buildings, a minimum of 1,500 square feet of land area shall be required. [Ord. 1260 N.S. § 2, 1981; Ord. 720 N.S. § 1, 1972; Ord. 210 N.S. § 11-133(1)(c), 1952].

E. Allowed building coverage. Maximum building coverage on all sites is 50 percent. [Ord. 12-003 § 5, 2012; Ord. 1193 N.S. § 2, 1980; Ord. 720 N.S. § 8, 1972; Ord. 593 N.S., 1968; Ord. 210 N.S. § 11-133(1)(d), 1952]

F. Allowed site coverage. Maximum site coverage on all sites is 60 percent. [Ord. 12-003 § 5, 2012].

G. Yards required.

1. Front Yards. The minimum required front yard shall be 12 feet. Driveways shall not occupy more than 40 percent of the street frontage, and on a corner lot, the combined coverage on all frontages shall not exceed 25 percent of the total street frontage. 50 percent of the front yard area shall be landscaped. Such areas shall not be surfaced, covered, enclosed or treated in such a manner as to make it impossible or impractical to establish and maintain landscaping and gardening thereon. The area must be rectangular or composed of a series of rectangles not less than 10 feet in width.
2. Side Yards. Side yards shall be 10 percent of lot width with a minimum requirement of 3 feet and a maximum of 10 feet; provided, however, on corner lots, the side yard abutting the street shall be 20 percent of the width of the lot, but need not exceed 10 feet.
3. Rear Yards. Rear yards, excluding eaves, shall have the following minimums:
 - a. One-story building: 5 feet.

- b. Two-story building: 8 feet.
 - c. Three-story building: 10 feet.
 - d. Where a rear yard fronts on a street, the minimum rear yard shall be 12 feet.
4. Special Yards and Distances Between Buildings.
- a. Distance between any buildings, which shall be free from the encroachment of overhanging eaves, shall be a minimum of 8 feet. For buildings of 3 stories, the minimum shall be increased to 10 feet and for buildings of 4 stories or more the minimums shall be increased to 12 feet.
 - b. Side yards providing access to single-row dwelling group: minimum 12 feet.
 - c. Inner court providing access to double-row dwelling group: minimum 20 feet.
5. Open Yard. Open yard required shall be 200 square feet per unit for all construction of 5 units or more.
6. Decks, Porches and Parking Spaces. Decks and open porches over 3 feet above grade may project or extend 4 feet over a required yard area, but not closer than 3 feet to the property line and no closer to other buildings than the minimums set forth in subsection (d) of this section. Parking spaces in excess of the required space for each family unit may project into the rear yard area set forth in subsection (c) of this section. [Ord. 720 N.S. § 6, 1972; Ord. 593 N.S., 1968; Ord. 532 N.S. § 6, 1966; Ord. 478 N.S., 1964; Ord. 382 N.S., 1962; Ord. 210 N.S. § 11-133(1)(e), 1952].

H. Garbage areas. Where there are 3 or more units, garbage areas for holding of garbage or refuse shall be constructed with a concrete floor and curb. The area shall be enclosed by a view-obscuring wall or fence designed in harmony with the building design. The enclosure shall be not less than 5 feet in height and equipped with a self-closing gate or door. Trash area shall have access to a driveway or public way. [Ord. 720 N.S. § 14, 1972].

I. Off-street parking. Minimum storage or parking spaces to be provided, and driveway requirements, shall be as follows:

- 1. Single-family dwellings: Single-family dwellings: 2 covered, however in cases of single-family dwellings on lots of 1,800 square feet or less, and where the living space floor area is 1,000 square feet or less, and where there are less than three bedrooms, one covered space is required.
- 2. Multifamily Units. One and one-half spaces/ per unit having less than ~~two~~ 2 bedrooms; ~~two~~ 2 spaces for all other units. One space/ per unit must be in a garage or carport.
- 3. The distance from a property line to the garage or carport opening shall be a minimum of 20 feet; provided, that a shorter driveway may be approved through the use permit process.
- 4. Driveway width shall not exceed 40 percent of lot width; provided, that a greater width may be permitted subject to obtaining a use permit.
- 5. A driveway at least 20 feet in length may serve as a required uncovered space.

23.90.250 R-3-P.G.R. (CZ) District

Sections:

A Permitted uses.**B Building site area required.****C Building height limit.****D Allowed building coverage.****E Allowed site coverage.****F Allowed gross floor area.****G Yard requirements.****H Garbage/recycling areas.****I Off-street parking.****A Permitted uses.**

1. All of the uses permitted and prescribed for the R-3 (CZ) district at PGMC [§ 23.90.240\(B\)](#) shall apply in the R-3-P.G.R. (CZ) district. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC [§ 23.90.030](#).
2. In addition, bed and breakfast inns are permitted, subject to first securing a use permit and Coastal Development Permit.

The City Council shall have the authority to set forth, by resolution, standards for bed and breakfast inns including, but not necessarily limited to: the number of visitors who may be accommodated; the amount and the type of signing to be provided; the length of permissible stay, not to exceed 30 days; the type of cooking and dining facilities to be provided; the amount of parking to be provided; protections for coastal resources, and any similar standard necessary to protect the neighborhood from unreasonable changes in character. Provided however, that in no case shall the maximum number of rooms allowed be less than eight, excluding the primary residence of the owner or manager. The setting of such standards shall in no way limit the authority or the ability of the planning commission to impose such conditions as may be deemed appropriate upon any use permit granted for bed and breakfast use, so long as those do not conflict with the City Council standards. [Ord. 98-05 § 1, 1998].

B Building site area required.

1. Except as provided in subsections (b) and (c) of this section, building site area shall be as set out in PGMC [§ 23.90.240\(D\)](#).
2. The minimum land area for each unit other than bed and breakfast units shall be 2,200 square feet.
3. Any parcel which has the following characteristics shall constitute a separate building site for future building purposes:
 - a. It has, prior to March 15, 1986, been designated on the assessor's map as a separate parcel.

- b. It has at least 1,800 square feet, but not more than 3,600 square feet, and is not part of a larger building site.
 - c. It has been unimproved with any building or structure for a minimum of 5 years immediately preceding March 15, 1986.
 - d. It has access to a public street.
 - e. Its transfer will not create additional aspects of nonconformity to this title.
 - f. It has received all necessary Coastal Development Permits.
4. Development of parcels qualifying as building site pursuant to subsection (c) of this section shall, at a minimum, be subject to the following:
- a. A use permit shall be first secured in each case.
 - b. Any required Coastal Development Permit shall be secured in each case.
 - c. Architectural review board approval shall be required.
 - d. Any construction shall conform to the requirements with respect to separate parcels in the R-3-P.G.R. (CZ) district; however, in considering a use permit application the planning commission is authorized to prescribe requirements other than those prescribed generally by the PGMC [Ord. 98-05 § 1, 1998].

C Building height limit. The maximum height of main buildings shall be 30 feet; provided, the maximum height of the top plate shall be no more than 24 feet. [Ord. 00-18 § 7, 2000; Ord. 98-05 § 1, 1998].

D Allowed building coverage. Maximum building coverage on all sites is 50 percent. [Ord. 12-003 § 6, 2012; Ord. 98-05 § 1, 1998].

E Allowed site coverage. Maximum site coverage on all sites is 60 percent. [Ord. 12-003 § 6, 2012].

F Allowed gross floor area. Maximum gross floor area is as follows:

**Table 23.90.250
– Maximum Gross Floor Area***

Lot Size	Floor Area
1,000	833
1,100	917
1,200	1,000
1,300	1,083
1,400	1,167
1,500	1,250
1,600	1,333
1,700	1,417
1,800	1,500
1,900	1,556
2,000	1,611
2,100	1,667
2,200	1,722

Table 23.90.250
– Maximum Gross Floor Area*

Lot Size	Floor Area
2,300	1,778
2,400	1,833
2,500	1,889
2,600	1,944
2,700	2,000
2,800	2,044
2,900	2,089
3,000	2,133
3,100	2,178
3,200	2,222
3,300	2,267
3,400	2,311
3,500	2,356
3,600	2,400
3,700	2,433
3,800	2,467
3,900	2,500
4,000	2,533
4,100	2,567
4,200	2,600
4,300	2,633
4,400	2,667
4,500	2,700
4,600	2,733
4,700	2,767
4,800	2,800
4,900	2,833
5,000	2,867
5,100	2,900
5,200	2,933
5,300	2,967
5,400	3,000
5,500	3,017
5,600	3,033
5,700	3,050

Table 23.90.250
– Maximum Gross Floor Area*

Lot Size	Floor Area
5,800	3,066
5,900	3,083
6,000	3,099
6,100	3,116
6,200	3,132
6,300	3,149
6,400	3,165
6,500	3,182
6,600	3,198
6,700	3,215
6,800	3,231
6,900	3,248
7,000	3,264
7,100	3,281
7,200	3,297
7,300	3,314
7,400	3,330
7,500	3,347
7,600	3,363
7,700	3,380
7,800	3,396
7,900	3,413
8,000	3,429
8,100	3,446
8,200	3,462
8,300	3,479
8,400	3,495
8,500	3,512
8,600	3,528
8,700	3,545
8,800	3,561
8,900	3,578
9,000	3,594
10,000	3,759
11,000	3,924

**Table 23.90.250
– Maximum Gross Floor Area***

Lot Size	Floor Area
12,000	4,089
13,000	4,254
14,000	4,419
15,000	4,584
16,000	4,749
17,000	4,914
18,000	5,079
19,000	5,244
20,000	5,409
21,000	5,574
22,000	5,739
23,000	5,904
24,000	6,069
25,000	6,234
26,000	6,399
27,000	6,564
28,000	6,729

* Note: For every 1,000 square feet above 28,000, add 165 square feet of floor area.

[Ord. 12-003 § 6, 2012; Ord. 98-05 § 1, 1998].

G. Yard requirements.

1. The minimum front yard shall be 8 feet; however, to encourage architectural variety in footprint and massing, the front yard may be reduced to no less than 4 feet for up to 50 percent of the front of the building.
2. The minimum side yards shall be 10 percent of lot width, and 20 percent of lot width for side yards abutting the street on corner lots; provided, that the minimum allowable side yard shall be 3 feet, and the maximum required side yard shall be 10 feet.

Exception: With a use permit, the total of side yards may be 20 percent of lot width with a minimum 3 feet required on each side, maximum required on either side 10 feet.
3. Rear yards shall have the following minimums:
 - a. One story building: 5 feet.
 - b. Two story building: 8 feet.
 - c. Three story building: 10 feet.
 - d. Where a rear yard abuts a street: 12 feet.
4. Open Yard. Open yard required shall be 200 square feet per unit for all construction of 5 units or more.

5. Decks and Porches. Decks and open porches over 3 feet above grade may project or extend 4 feet over a required yard area, but not closer than 3 feet to the property line. [Ord. 98-05 § 1, 1998].

H. Garbage/recycling areas. Where there are 3 or more units, garbage/recycling areas for holding of garbage or recyclable materials shall be provided. The garbage/recycling area shall be enclosed by a view-obscuring wall or fence designed in harmony with the building design. The enclosure shall be not less than 5 feet in height and equipped with a self-closing gate or door. Garbage/recycling area shall have access to a driveway or public way. Placement and design of the garbage/recycling areas shall be approved by the public works director and the architectural review board prior to issuance of a building permit. Garbage/recycling areas shall be maintained in a sanitary condition, free of graffiti and in good repair. [Ord. 98-05 § 1, 1998].

I. Off-street parking. Storage or parking space to be provided, and driveway requirements, shall be as follows:

1. Single-family dwellings:

Lot Size	Off-Street Parking Required
To and including 2,699 square feet	None
Larger than 2,699 to 4,000	1 covered and 1 uncovered
Larger than 4,000	2 covered

* A driveway at least 20 feet in length may serve as a required uncovered space.

2. Multifamily Units. One and one-half spaces per unit having less than 2 bedrooms; 2 spaces for all other units. One space per unit must be in a garage or carport.
3. The distance from a property line to the garage or carport opening shall be a minimum of 20 feet; provided, that a shorter driveway may be approved through the use permit process.
4. Driveway width shall not exceed 40 percent of lot width; provided, that a greater width may be permitted subject to obtaining a use permit. [Ord. 98-05 § 1, 1998].

¹ Editor's Note: Prior ordinance history includes Ord. 1166 and part of Ord. 1331.

23.90.260 R-3-P.G.B. (CZ) District

Sections:

A Purpose and description.

B Uses permitted.

C Building height limits.

D Building site area required.

E Allowed building coverage.F Allowed site coverage.G Yards required.H Architectural approval.I Off-street parking.

- A. Purpose and description.** The regulations in this chapter shall apply in the R-3-P.G.B. (CZ) district and shall be subject to the other applicable provisions of the PGMC. The council declares that the portion of the Pacific Grove Beach Tract bounded by Lorelei Street on the east, Ocean View Boulevard on the north, Sea Palm Avenue on the west, and the southerly property line of property on the south side of Mermaid Avenue on the south is an architecturally unique neighborhood of the city of Pacific Grove; that said neighborhood is characterized by its small lots, spaces and massing which has resulted in a village-like setting; and that it is the intention of the council to resolve the unique problems of said neighborhood through the regulations of this chapter. Said district shall be known as the R-3-P.G.B. (CZ) district. [Ord. 754 N.S. § 1, 1973].
- B. Uses permitted.** The following uses are permitted in the R-3-P.G.B. (CZ) district, subject to first securing architectural approval and a use permit. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC [§ 23.90.030](#).
1. Single-family dwellings;
 2. Duplexes, multiple-family dwellings, apartment houses and dwelling groups;
 3. Accessory uses and buildings normally incidental to any of the above. [Ord. 1418 N.S. § 5, 1984; Ord. 811 N.S., 1974; Ord. 754 N.S. § 1, 1973].
- C. Building height limits.** The maximum height of main buildings shall be 25 feet and limited to [2](#) stories. [Ord. 00-18 § 9, 2000; Ord. 754 N.S. § 1, 1973].
- D. Building site area required.** The minimum building site area for each building or group of buildings and minimum width which shall be required are as follows:
1. On the southerly side of Mermaid Avenue (Lots 19 through 31 of Block 241 and Lots 1 through 45 of Block 245), 1,760 square feet with a minimum width of 44 feet;
 2. Between Mermaid Avenue and Ocean View Boulevard (Blocks 242, 243, 244 and 246), 2,500 square feet.
- In order to install more than [1](#) dwelling unit on a building site, there shall be a minimum of 2,500 square feet of land in the building site for each dwelling unit. [Ord. 1115 N.S. § 1, 1979; Ord. 754 N.S. § 1, 1973].

E. Allowed building coverage. Maximum building coverage on all sites is 50 percent. [Ord. 12-003 § 10, 2012; Ord. 1307 N.S. § 3, 1982; Ord. 754 N.S. § 1, 1973].

F. Allowed site coverage. Maximum site coverage on all sites is 60 percent. [Ord. 12-003 § 10, 2012].

G. Yards required.

1. Front Yard. The minimum front yard shall be 8 feet along Mermaid Avenue and 12 feet along Ocean View Boulevard.
2. Side Yard. Side yards shall be 10 percent of the lot width, with a minimum requirement of 3 feet and a maximum of 10 feet.
3. Rear Yard. Rear yards shall be 5 feet for 1-story structures and 8 feet for 2-story structures. When a rear yard abuts a street, the front yard setback for the street shall also be the rear yard setback.
4. Special Yards and Distances Between Buildings. The regulations prescribed by PGMC 23.90.240-(G) shall apply to the R-3-P.G.B. (CZ) district.
5. Decks and Porches. The regulations prescribed generally by the PGMC shall apply to the R-3-P.G.B. (CZ) district.
6. In considering any application for a use permit, the planning commission is authorized to prescribe requirements other than prescribed by subsections (b), (c), (d) and (e) of this section where it makes suitable findings regarding the land, building or use, or if the lot involved is a permitted building site. [Ord. 1418 N.S. § 6, 1984; Ord. 754 N.S. § 1, 1973].

H. Architectural approval. Architectural approval shall apply to all structures erected or remodeled in the zone. [Ord. 754 N.S. § 1, 1973].

I. Off-street parking. Minimum storage or parking space to be provided, and driveway requirements, shall be as follows:

1. Single-family dwellings: 2 covered, however in cases of single-family dwellings on lots of 1,800 square feet or less, and where the living space floor area is 1,000 square feet or less, and where there are less than three bedrooms, one covered space is required.

* A driveway at least 20 feet in length may serve as a required uncovered space.

2. Multifamily Units. One and one-half spaces/unit having less than 2 bedrooms; 2 spaces for all other units. One space/unit must be in a garage or carport.
3. The distance from a property line to the garage or carport opening shall be a minimum of 20 feet; provided, that a shorter driveway may be approved through the use permit process.
4. Driveway width shall not exceed 40 percent of lot width; provided, that a greater width may be permitted subject to obtaining a use permit.

23.90.270 R-3-M (CZ) Districts

Sections:

- A. Regulations generally.** The regulations in this section shall be found in Section 23.52 R-3-M and shall apply in the R-3-M (CZ) district as amended from time to time, and shall be subject to the other applicable provisions of the PGMC.

23.90.280 R-4 (CZ) DISTRICT

Sections:

A Uses permitted.**B Building height limit – Site area – Lot coverage – Yards.****C Off-street parking.**

- A. Uses permitted.** The following uses shall be permitted in the R-4 (CZ) district. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC § 23.90.030.

1. Single- or two-family dwellings;
2. Second units;
3. Multiple dwellings, apartment houses, subject to first securing a use permit in either of the following cases:
 - a. The total number of family units shall exceed 7 on a building site, or
 - b. Additions or structural alterations are made to a structure already existing.
4. Rooming or boarding houses, subject to first securing a use permit;
5. Dwelling groups subject to first securing a use permit in either of the following cases:
 - a. The total number of family units shall exceed 7 on a building site, or
 - b. The proposed development includes a combination of a structure already existing (whether or not altered) with a new structure or additions to an existing structure on 1 building site.
6. Professional uses allowed are: accountants, advertisers, appraisers, architects, assayers, attorneys, beauty shops, building designers, chiropractors, chiropodists, clinical laboratories, collection agencies, contractors (no warehousing of material), dental laboratories, detective agencies, dentists, geologists, insurance adjusters, interior decorator services (no display rooms, retail sales, and no warehousing of materials), insurance offices, land surveyors, medical doctors, medical laboratories, oculists, opticians, optometrists, osteopaths, physical therapists, podiatrists, private detectives, professional engineers, psychologists, real estate offices, secretary services and telephone answering services, subject to first securing a use permit;
7. Community centers, social halls, lodges, clubs and rest homes, subject to first securing a use permit in each case;
8. Accessory uses and buildings normally incidental to any of the above;
9. Professional uses in other categories than described in subsection (f) of this section, which are found by the Director to be similar in nature, as regards size, activity, and impact, as the

professions listed in said subsection (f) of this section, subject to first securing a use permit in each case;

10. Bed and breakfast inns, subject to first securing a use permit. Standards adopted by resolution of the council for bed and breakfast inn use in the R-3-P.G.R. (CZ) district shall apply as well to that use in the R-4 (CZ) district. The setting of such standards shall in no way limit the authority or ability of the planning commission to impose such conditions as may be deemed appropriate upon any use permit granted. [Ord. 03-08 §§ 6, 7, 2003; Ord. 1418 N.S. § 3, 1984; Ord. 1417 N.S., 1984; Ord. 1307 N.S. § 1, 1982; Ord. 936 N.S. § 1, 1977; Ord. 811 N.S., 1974; Ord. 795 N.S., 1974; Ord. 720 N.S. §§ 11, 12, 1972; Ord. 532 N.S. § 7, 1966; Ord. 506 N.S., 1965; Ord. 382 N.S., 1962; Ord. 210 N.S. § 11-133.1(1), 1952].

B. Building height limit – Site area – Lot coverage – Yards. Regulations for building height limit, building site area required, percentage of lot coverage, and yards required shall be those regulations set forth in PGMC [§23.90.230\(C\)](#) through [23.90.240\(G\)](#). [Ord. 382 N.S., 1962; Ord. 210 N.S. § 11-133.1(1)(b), 1952].

C. Off-street parking. Storage or parking space to be provided, and driveway requirements, shall be as follows:

1. Single-family dwellings: 2 covered, however in cases of single-family dwellings on lots of 1,800 square feet or less, and where the living space floor area is 1,000 square feet or less, and where there are less than three bedrooms, one covered space is required.

* A driveway at least 20 feet in length may serve as a required uncovered space.

2. Multifamily Units. One and one-half spaces/unit having less than 2 bedrooms; 2 spaces for all other units. One space/unit must be in a garage or carport.

3. The distance from a property line to the garage or carport opening shall be a minimum of 20 feet; provided, that a shorter driveway may be approved through the Use Permit process.

4. Driveway width shall not exceed 40 percent of lot width; provided, that a greater width may be permitted subject to obtaining a use permit. [Ord. 98-05 § 1, 1998].

5. Offices. Not less than 1 parking space for each 300 square feet of floor area in each professional office building permitted, except that for office buildings located in areas assessed for the payment of off-street parking lots, parking space shall not be required except as set forth in subsection (g) of this section;

6. Quasi-public. Not less than 1 parking space for each 6 seats provided for visitors to churches, community centers, social halls, lodges, and clubs and not less than 1 parking space for each 6 beds and 1 parking space for each employee on the shift with the maximum number of employees in any rest home, nursing home, convalescent home or hospital.

7. Parking space required for other uses allowed in any district and not set forth above shall be determined by the planning commission and set forth as a condition to the granting of the Use Permit for such use;

23.90.290 M-H (CZ) DISTRICTS

Sections:

A Uses permitted.**B Minimum lot size.****C Density.****D General requirements.**

A. Uses permitted. The following uses are permitted in the M-H (CZ) district. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC § 23.90.030.

1. Any residential use permitted in the respective district with which the M-H (CZ) district is combined;
2. Mobile home parks for residential purposes and accessory uses subject to first obtaining a use permit and a Coastal Development Permit. [Ord. 853 N.S. § 1, 1975].

B. Minimum lot size. The minimum lot size in 1 ownership on which a mobile home park may be constructed in this district is 10 acres, with a minimum lot width of 200 feet. [Ord. 853 N.S. § 1, 1975].

C. Density. The total number of living units permitted in the M-H (CZ) district shall not be greater than 10 units per acre. [Ord. 853 N.S. § 1, 1975].

D. General requirements.

1. Each use in an M-H (CZ) district shall be considered as being part of a planned unit development.
2. The site, recreational facilities, and maintenance plans for the project shall be approved by the planning commission.
3. A landscape plan for the entire project shall be approved by the architectural review board.
4. Yards shall be a minimum of 20 feet; however, in considering an application for a use permit, the planning commission is authorized to prescribe other requirements where it makes appropriate findings regarding the land, building, or use.
5. Maximum building coverage on all sites is 40 percent.
6. All utilities on the lot shall be undergrounded and the meter location shall be approved by the site plan review committee.
7. Architectural approval shall be required.
8. Maximum site coverage on all sites is 60 percent.
9. All development shall protect coastal resources and shall be consistent with the Local Coastal Program policies and standards. [Ord. 12-003 § 7, 2012; Ord. 853 N.S. § 1, 1975].

23.90.300 Commercial (CZ) Zoning Districts

Sections:

A Purpose.**B Commercial (CZ) zoning districts.****C Commercial (CZ) zoning districts allowable land uses and permit requirements.**

D Commercial (CZ) zoning districts development standards.

E Off-site parking.

A. Purpose. This [section](#) lists the commercial zoning districts within the Coastal Zone and establishes the development standards and types of land uses permitted in each commercial (CZ) zoning district. [Ord. 13-003 § 2, 2013].

B. Commercial (CZ) zoning districts.

1. Light Commercial (C-1). The C-1 (CZ) zoning district provides for neighborhood scale and locally oriented retail, service, and office uses.
2. Heavy Commercial (C-2). The C-2 zoning district is applied to areas of the city that are appropriate for service commercial and light manufacturing uses, which may involve outdoor storage or activity areas, but can also include residential uses.
3. Visitor Commercial (C-V). The C-V (CZ) zoning district is applied to areas of the city appropriate for retail sales, commercial services, and institutional uses oriented to tourism.
4. Visitor Commercial - Accommodation (C-V-A). The C-V-A (CZ) zoning district allows visitor serving uses restricted to overnight accommodations, as well as residential uses.
5. Visitor Commercial – American Tin Cannery (C-V-ATC). The C-V-ATC (CZ) zoning district allows visitor serving uses including retail sales, commercial services, institutional uses oriented to tourism, and overnight accommodations.
6. Sunset Service Commercial (SSC). The SSC (CZ) zoning district allows for a variety of industrial, heavy commercial, retail and office uses, as well as visitor serving uses. [Ord. 13-003 § 2, 2013].

C. Commercial (CZ) zoning districts allowable land uses and permit requirements. The uses shown in Table 23.90.300 C are permitted in the commercial (CZ) zoning districts as noted. A Coastal Development Permit shall be obtained for any development not exempted [under](#) PGMC § 23.90.030.

Key to Zoning District Symbols					
C-1	Light Commercial	C-V	Visitor Commercial	SSC	Sunset Service Commercial
C-2	Heavy Commercial	C-V-A	Visitor Commercial – Accommodation	C-V-ATC	Visitor Commercial – American Tin Cannery
P = Permitted use; counter review and determination required				UP = Use permit	
AUP = Administrative use permit				-- = Use not allowed	

Table 23.90.300 C Commercial and Industrial Zoning Districts Allowable Land Uses and Permit Requirements

Use	C-1 ¹	C-2	C-V ¹	C-V-A ¹	C-V-ATC	SSC
Industry, Manufacturing and Processing						

Table 23.90.300 C Commercial and Industrial Zoning Districts Allowable Land Uses and Permit Requirements

Use	C-1 ¹	C-2	C-V ¹	C-V-A ¹	C-V-ATC	SSC
Contract construction – no outdoor storage	P ²	P ^{3,4}	--	--	--	P ³
Contract construction – outdoor storage	--	P ^{3,4}	--	--	--	P
Construction, large-scale equipment sales and rental	--	P ^{3,4}	--	--	--	P
Industrial, light	UP	AUP ^{3,4}	--	--	--	AUP ^{3, 4}
Recycling facility	UP	UP	UP	--	--	UP
Research and development facility	AUP ²	AUP ³	AUP ²	UP	--	AUP ³
Storage – self-storage facility	--	AUP ³	--	--	--	AUP ³
Warehousing, wholesaling and distribution	--	P ³	--	--	--	P ³
Recreation, Education and Public Assembly						
Commercial recreation facility – indoor (≤ 10,000 sf)	P ²	P ³	P ²	P	P ³	P ³
Commercial recreation facility – outdoor	AUP ²	AUP ³	AUP ²	UP	AUP ³	AUP ³
Community garden	AUP ⁵	AUP ⁵	AUP ⁵	AUP ⁵	AUP ⁵	--
Health/fitness studio (≤ 10,000 sf)	P ²	P ³	P ²	P	P ³	P ³
Meeting facility, public or private (≤ 10,000 sf)	P ²	P ³	P	P	P ³	P ³
Park, playground (public)	P ²	P ³	P ²	P ²	P ³	P ³
Public or quasi-public facility (≤ 10,000 sf)	P ²	P ³	P ²	P ²	P ³	P ³
School, specialty (≤ 10,000 sf)	P ²	P ³	P ²	P ²	P ²	--
Theater or auditorium (≤ 10,000 sf)	P ²	P ³	P ²	P	P ³	P ³
Residential						
Accessory building or structure	P	P	--	--	--	--
Condominium	UP	UP	--	--	--	--
Duplex	P	P	--	--	--	--
Dwelling group	UP	UP	--	--	--	--
Home business	P	P	--	--	--	--
Large family day care home	UP	UP	--	--	--	--
Mixed-use (residential above or behind commercial)	P ²	P ³	--	--	--	--
Mobile home park	--	UP	--	--	--	--
Multifamily dwelling						
7 or fewer units	P	P	--	P	--	UP
8 or more units	UP	UP	--	UP	--	UP
Residential care						

Table 23.90.300 C Commercial and Industrial Zoning Districts Allowable Land Uses and Permit Requirements

Use	C-1 ¹	C-2	C-V ¹	C-V-A ¹	C-V-ATC	SSC
Housing 6 or fewer persons	P	P	--	UP	--	UP
Housing 7 or more persons	UP	UP	--	UP	--	UP
Rooming and boarding house	UP	UP	--	UP	--	UP
Second unit	P	P	--	P	--	UP
Single-family dwelling	P	UP	--	UP	--	UP
Retail Sales						
Automobile/vehicle sales and rental	AUP ²	AUP ³	--	--	--	AUP ²
Automobile/vehicle service station/ fueling station	AUP ²	AUP ³	AUP ²	--	--	AUP ²
Bar/tavern/nightclub	--	--	UP	UP	UP	UP
Brew pub with food service	AUP ²	AUP ³	AUP ²	P	P	P
Farmers market	UP	UP	UP	--	UP	P
Flea market	UP	UP	UP	--	--	P
Micro-brewery	--	UP	UP	UP	UP	P
Pub or sports bar with food service	AUP ²	AUP ³	AUP ²	UP	AUP ²	P
Restaurant, general and formula general						
w/ no alcohol sales	--	P ³	P ²	P ²	P ²	P ²
w/ alcohol sales	--	AUP ³	AUP ²	UP ²	AUP ²	AUP ²
Restaurant, specialty (not formula)						
w/ no alcohol sales	P ²	P ³	P ²	P ²	P ²	P ²
w/ beer and wine sales only	AUP ²	AUP ³	AUP ²	AUP	AUP ²	AUP ²
Restaurant, fast food (not formula) – w/ no alcohol sales	AUP ²	AUP ³	AUP ²	--	AUP ²	AUP ²
Restaurant, drive-in/drive-through (not formula) – w/ no alcohol sales	--	--	--	--	--	--
Retail – general, except the following:	P ²	AUP ³	P ²	P	P ²	P ²
Adult-oriented sales	UP ⁶	--	--	--	--	--
Alcoholic beverage sales	UP	UP	AUP ²	--	AUP ²	UP
Auction houses	P	UP	--	--	--	P
Automobile rental	P	UP	UP	--	UP	P
Bail bonds	P	UP	--	--	--	P
Blood, plasma, tissue donation	P	UP	--	--	--	P
Body piercing/tattoo parlor	P	UP	UP	--	UP	P
Check cashing stores	--	UP	--	--	--	--
Dollar/99 cent stores	--	UP	UP	--	--	--

Table 23.90.300 C Commercial and Industrial Zoning Districts Allowable Land Uses and Permit Requirements

Use	C-1 ¹	C-2	C-V ¹	C-V-A ¹	C-V-ATC	SSC
Electric cigarette/e-vapor	P	UP	UP	--	UP	P
Gold and silver exchange stores	P	UP	UP	--	UP	P
Kennels or pet boarding**	P	UP	UP	--	UP	P
Pawn shops	P	UP	UP	--	--	P
Recreational vehicle sales	P	UP	--	--	--	P
Meeting halls places of assembly, or event venues	P	UP	P	--	P	P
Tire sales and repair	P	UP	UP	--	--	P
Businesses from which minors excluded by law or owner	UP	UP	UP	--	UP	UP
Floor area over 10,000 sf	AUP ²	AUP ³	AUP ²	AUP ²	AUP ²	AUP ³
Operating between 12:00 a.m. and 7:00 a.m.	UP	UP	UP	UP	UP	UP
Outdoor storage or displays	AUP	AUP ¹	AUP	--	AUP ¹	AUP ¹
Retail – restricted	UP	UP	UP	UP	UP	UP
Wine bar	AUP ²	AUP ³	AUP ²	AUP ²	AUP ²	AUP ³
Wine tasting room	AUP ²	AUP ³	AUP ²	AUP ²	AUP ²	AUP ³
Services						
Animal keeping/training facilities or veterinary service	AUP ²	AUP ³	AUP ²	--	AUP ²	AUP ³
Automobile/vehicle repair	AUP ²	AUP ³	--	--	--	AUP ³
Bank or financial service, except the following:	P ²	UP ³	P ²	--	P ²	P ³
Floor area over 10,000 sf at street level	AUP ²	AUP ³	AUP ²	AUP ²	AUP ²	AUP ³
w/ drive-through	UP	UP	UP	--	--	UP
Business support service	P ²	P ³	P ²	--	P ²	P ³
Car wash and detailing	AUP ²	AUP ³	--	--	--	AUP ³
Catering and events	AUP ²	UP	AUP ²	P	AUP ²	AUP ³
Equipment/appliance rental and repair	AUP ²	AUP ³	--	--	--	P
Laundry or dry cleaning service	AUP ²	AUP ³	AUP ²	--	AUP ³	P
Lodging						
Bed and breakfast inn –w/ beer and wine sales only	AUP ²	AUP ³	AUP ²	UP	AUP ²	AUP ³
Hotel or motel	--	--	UP ⁷	UP ⁷	UP ⁷	-- ⁷
Medical service						
Ambulance service	UP	UP	UP	--	UP	UP
Clinic or lab	P ²	UP ³	UP ²	--	UP ²	P ³
Medical office	P ²	UP ³	UP ²	--	UP ²	P ³

Table 23.90.300 C Commercial and Industrial Zoning Districts Allowable Land Uses and Permit Requirements

Use	C-1 ¹	C-2	C-V ¹	C-V-A ¹	C-V-ATC	SSC
Hospital	UP	UP	--	--	--	UP
Mortuary or funeral home	UP	UP	--	--	--	UP
Office, business or professional	P ²	UP ³	UP	--	UP	P ²
Personal service	P ²	UP ³	P ²	--	P ²	P ²
Personal service – restricted	UP	UP	UP	--	UP	UP
Printing or creative service	P ²	UP ³	UP ²	--	UP ²	P ³
Transportation and Infrastructure						
Parking facility	UP	UP	UP	UP	UP	UP
Public utility	UP	UP	UP	UP	UP	UP
Radio or television station	UP	UP	UP	UP	UP	UP
Taxi service	UP	UP	UP	UP	UP	UP
Transit center	UP	UP	UP	UP	UP	UP
Wireless telecommunication facility	UP	UP	UP	UP	UP	UP

End Notes:

1. No merchandise, tools, machinery, equipment, or materials shall be stored or displayed outside of a building, except as specifically permitted for retail uses under an [Administrative Use Permit](#). Temporary [Administrative Use Permits](#), good for not over 30 days, may be granted, for temporary outdoor sales events of new merchandise by merchants holding [Use Permits](#) or otherwise qualified to operate within the applicable district; provided, that such outdoor sales are operated in conjunction with their established retail operations, and for Christmas tree sales, or other sales on private property, connected with festivals or holidays.

2. The permit type specified in this table applies to any new or enlarged commercial use which totals 10,000 square feet or less of interior floor space. An [Administrative Use Permit](#) is required for any new or enlarged commercial use which results in either the use of more than 1 structure on a building site or a total of more than 10,000 square feet of interior floor space. A [Use Permit](#) is required where any new or enlarged commercial use exceeds 25,000 square feet in interior floor space.

3. A [Use Permit](#) is required for any new building or addition which adds more than 25,000 square feet of interior floor space or which results in a building having more than 40 feet in height.

4. Such uses may be granted subject to a [Use Permit](#), when conducted within a building or enclosed by a fence, subject to architectural approval by the appropriate review authority for design and landscaping; and provided, that said fence and landscaping shall be of sufficient height and screening capacity to prevent the view thereof from any adjacent street or sidewalk.

5. Community gardens on vacant lots may be permitted by [Administrative Use Permit](#), and shall be reviewable every 6 months and subject to such conditions as the [Administrative Use Permit](#) may prescribe. The application shall be accompanied by a written agreement by the owner to grant the city a lien for any cost incurred by the city in restoring such property to its condition prior to such use, in the event the owner fails to make such restoration after such use ceases.

6. Adult-oriented sales may comprise no more than 25 percent of floor area or stock-in-trade of a general retail business, must be located in the rear of the general retail business, and must not be visible from the exterior of the general retail business.

7. Hotel use requires voter approval to permit the use and shall be obtained prior to submitting an application for a Use Permit. Hotel use in SSC is subject to voter-approved change in zoning regulations. All accommodation uses shall be for transient use only for a period not to exceed 30 days. Lower-cost visitor-serving facilities shall be protected. New accommodations shall designate (a) component(s) of their units as lower-cost accommodations or establish or improve off-site accommodations in the Coastal Zone that meet the lower cost need.

**When not associated with a veterinary clinic.

[Ord. 15-013 § 4, 2015; Ord. 13-003 § 2, 2013].

D. Commercial (CZ) zoning districts development standards. Development within the commercial (CZ) zoning districts shall conform to the requirements presented in Table 23.90.290 D. The Coastal Development Permit may modify standards to require an increased setback or reduced lot coverage or height limit when necessary to protect views, biological resources, or other resources.

Table 23.90.300 D Commercial and Industrial Zoning Districts Development Standards

	C-1	C-2	C-V	C-V-A	C-V-ATC	SSC
Building Placement Requirements						
Setbacks ¹						
Front, min. (max.)	0'	0'	0'	0'	0'	0'
Side (min.), except:	0'	0'	0'	0'	0'	0'
Side adjacent to residential zone	5'	5'	10'	10'	10'	10'
Rear (min.), except:	0'	0'	0'	0'	0'	0'

Table 23.90.300 D Commercial and Industrial Zoning Districts Development Standards

	C-1	C-2	C-V	C-V-A	C-V-ATC	SSC
Rear adjacent to residential zone including streets abutting same	5'	5'	10' abutting R-3, R-3-M, R-4, and 20 feet abutting other residential districts.	10' abutting R-3, R-3-M, R-4, and 20 feet abutting other residential districts.	10' abutting R-3, R-3-M, R-4, and 20 feet abutting other residential districts.	10'
Building Form Requirements						
Building height (max.) ²	40' with max. site coverage of 75%; 30' with max. site coverage of 90%	40'	40' with maximum site coverage of 75%; 30' with maximum site coverage of 90%; except, 18 feet within 200 feet of R-1, R-H, or R-2. and 15 feet for accessory structures	25 feet; except, 18 feet within 200 feet of R-1, R-H, or R-2. and 15 feet for accessory structures	40' with maximum site coverage of 75%; 30' with maximum site coverage of 90% and 15 feet for accessory structures	40'
Site coverage (max.) ³	75 – 90%, depending on building height	90%	75 – 90% depending on building height	Maximum 50%	75 – 90%, depending on building height	90%
Density Requirements						
Number of dwellings per parcel	Max. allowed by the general plan	Max. allowed by the general plan	N/A	N/A	N/A	Max. allowed by the general plan

Table 23.90.300 D Commercial and Industrial Zoning Districts Development Standards

	C-1	C-2	C-V	C-V-A	C-V-ATC	SSC
	residential land use category nearest to the site, up to 30 units per net acre. ³	residential land use category nearest to the site, up to 30 units per net acre. ³				residential land use category nearest to the site, up to 30 units per net acre. ⁴
Floor area ratio	Max. allowed by the general plan	Max. allowed by the general plan	1.5	1.5	32.0	1.3
Lot Requirements						
Lot area for new parcels (min.) ⁵	2,000 sf					
Other Requirements						
Landscaping	Generally applicable provisions of the PGMC					
Signs	Section § 23.90.190 and general applicable provisions of the PGMC					

End Notes:

1. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the setback standards in PGMC [§ 23.90.240\(G\)](#) shall apply.

2. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building height standards in PGMC [§ 23.90.240\(C\)](#) shall apply.

3. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building coverage and site coverage standards in PGMC [§ 23.90.240\(E\)](#) and [23.90.240\(F\)](#), respectively, shall apply.

4. Higher residential densities are allowed if a finding can be made that the project furthers the goals of the [General Plan and Local Coastal Program](#).

5. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building site area standards in PGMC [23.90.240\(D\)](#) shall apply. [Ord. 13-003 § 2, 2013].

E. Off-site parking. Minimum storage or parking space for the parking of automobiles off the street shall be provided as follows:

1. [Multifamily Units. One and one-half spaces per unit having less than 2 bedrooms; 2 spaces for all other units. One space per unit must be in a garage or carport.](#)
2. [Rooming House. Not less than 1 garage space for each 2 guest rooms in any rooming house;](#)
3. [Motel or Hotel. Not less than 1 garage space for each 4 guest rooms in any hotel and not less than 1 parking space for each unit in a motel. The planning commission may require additional parking at a ratio of 1 space for each 50 square feet of accessory dining area within the R-3-M district;](#)
4. [Offices. Not less than 1 parking space for each 300 square feet of floor area in each professional office building permitted, except that for office buildings located in areas assessed for the payment of off-street parking lots, parking space shall not be required except as set forth in subsection \(g\) of this section;](#)
5. [Quasi-public. Not less than 1 parking space for each 6 seats provided for visitors to churches, community centers, social halls, lodges, and clubs and not less than 1 parking space for each 6 beds and 1 parking space for each employee on the shift with the maximum number of employees in any rest home, nursing home, convalescent home or hospital;](#)
6. [Parking space required for other uses allowed in any district and not set forth above shall be determined by the planning commission and set forth as a condition to the granting of the Use Permit for such use;](#)

90.23.310 O (CZ) District

Sections:

A Regulations Generally.

B Uses permitted.

C Signs.

D Development standards.

E Rezoning restriction.

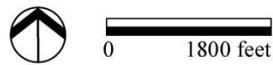
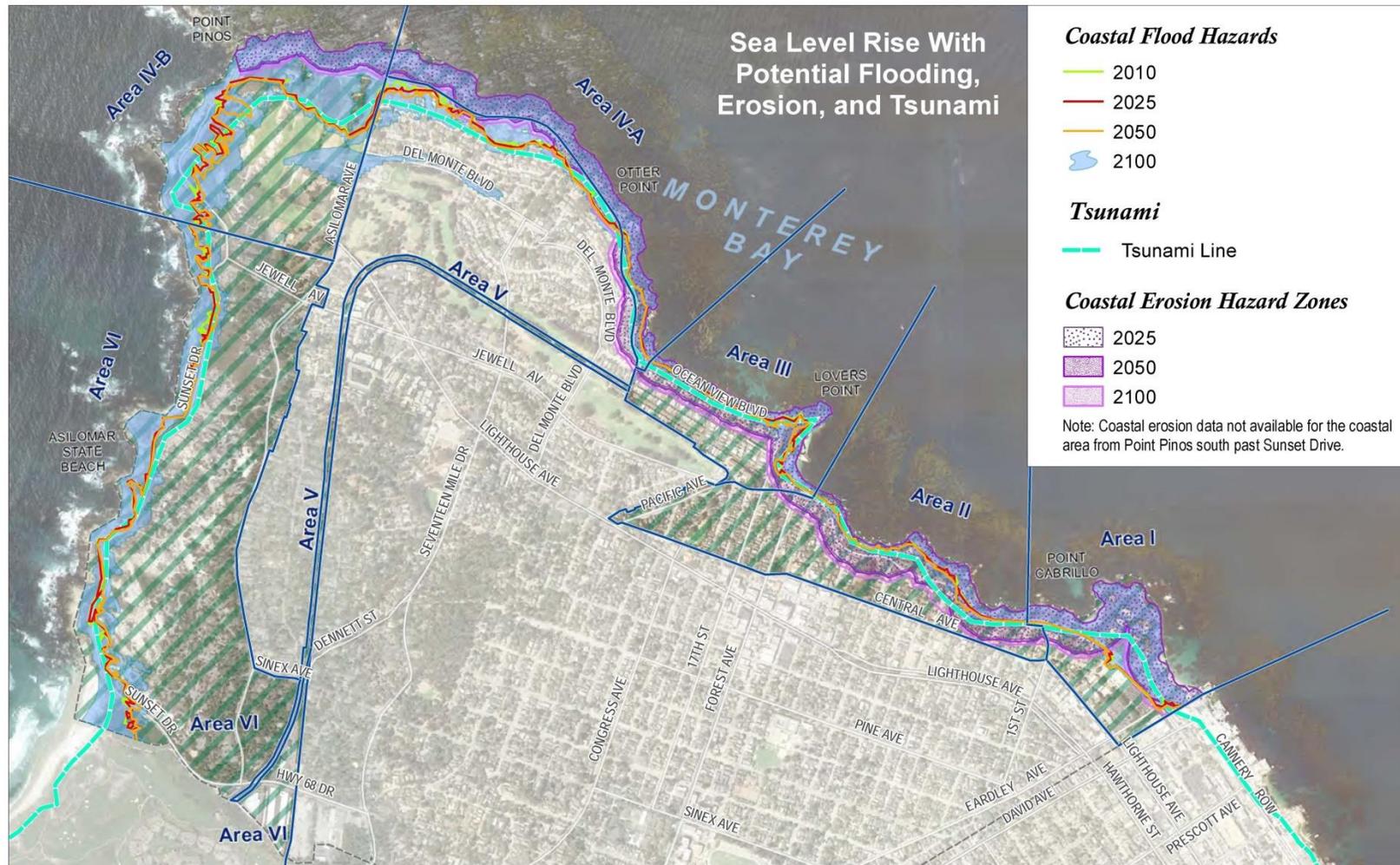
- A. Regulations Generally.** The regulations in this section shall be found in section 23.42 O and shall apply in the O (CZ) district as amended from time to time, and shall be subject to the other applicable provisions of the PGMC.

23.90.320 U (CZ) DISTRICTS

Sections:

A Regulations Generally.

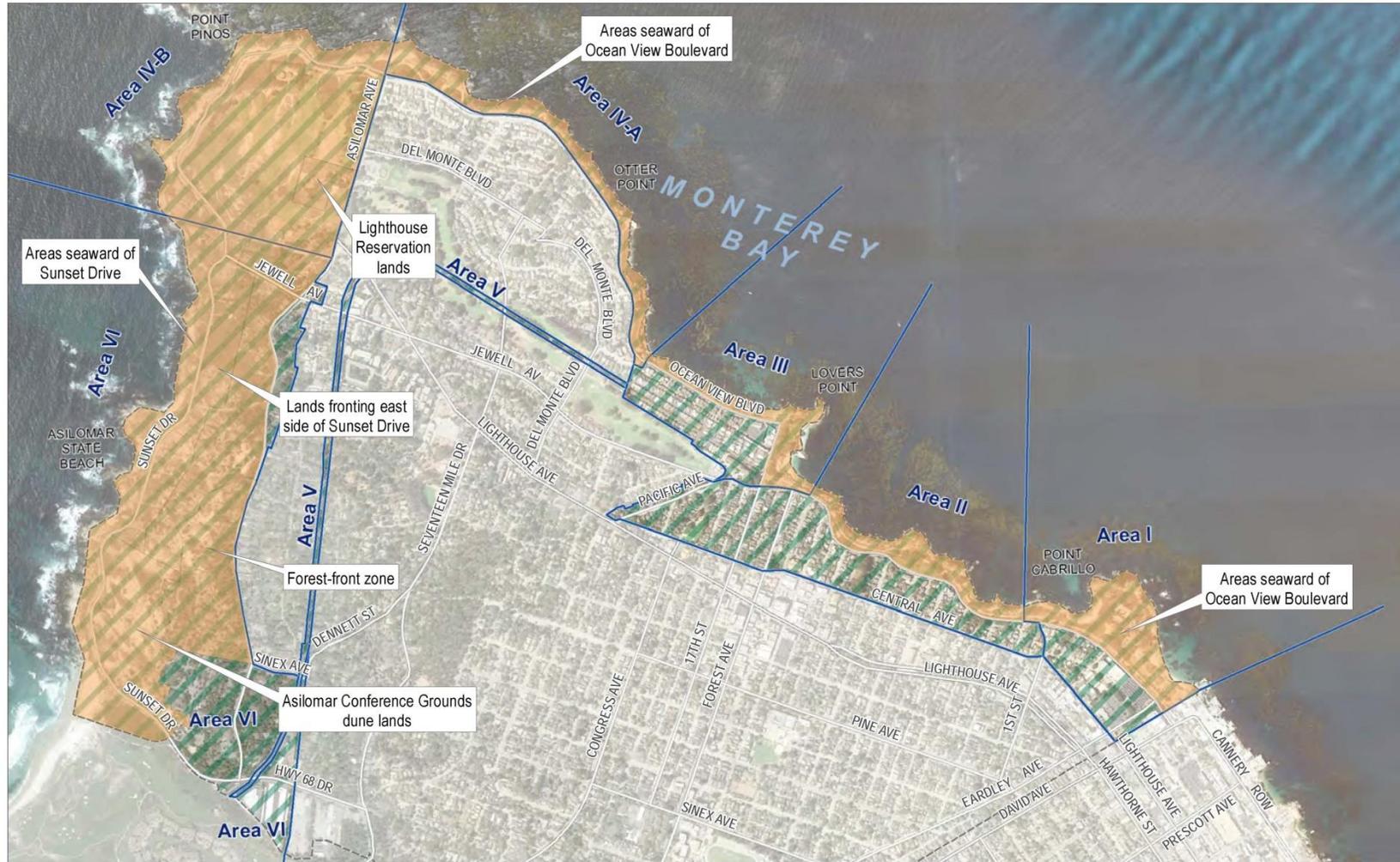
- A. Regulations Generally.** The regulations found in this section shall be found in section 23.44 U as amended from time to time, and shall apply in all unclassified or U (CZ) districts and shall be subject to other applicable provisions of the PGMC.
- B. Uses permitted.** The following uses in addition to those in U are permitted in the U (CZ) district. A Coastal Development Permit shall be obtained for any development not exempted from that requirement in PGMC 23.90.030.
1. At Hopkins Marine Station, coastal-dependent marine research and educational activities, aquaculture, and coastal-dependent recreation that is compatible with maintenance of coastal-dependent scientific and educational uses.
 2. At Asilomar Conference Grounds, overnight accommodations, conference facilities, low-intensity coastal-related recreation to the extent compatible with protection of designated natural and biotic resource areas.



- Legend**
- Planning Area Boundaries
 - City of Pacific Grove
 - Major Roads
 - Coastal Zone

Source: Pacific Institute 2009, City of Pacific Grove, Google Earth 2013

Coastal Hazards Overlay
City of Pacific Grove Land Use Plan



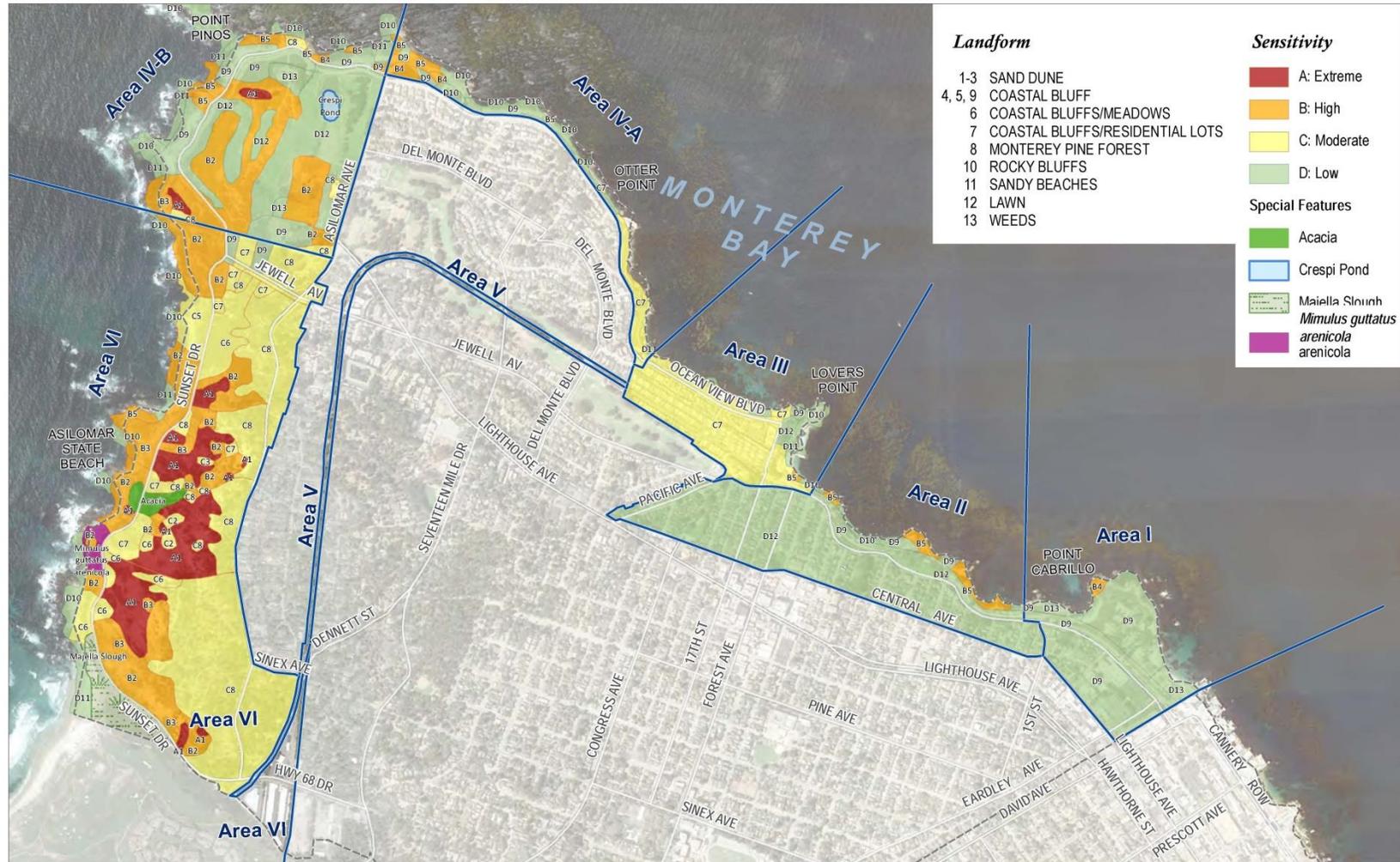
Legend

- Planning Area Boundaries
- City of Pacific Grove
- Major Roads
- Coastal Zone
- Scenic Areas

Source: City of Pacific Grove, Google Earth 2013

Scenic Resources Overlay

City of Pacific Grove Land Use Plan



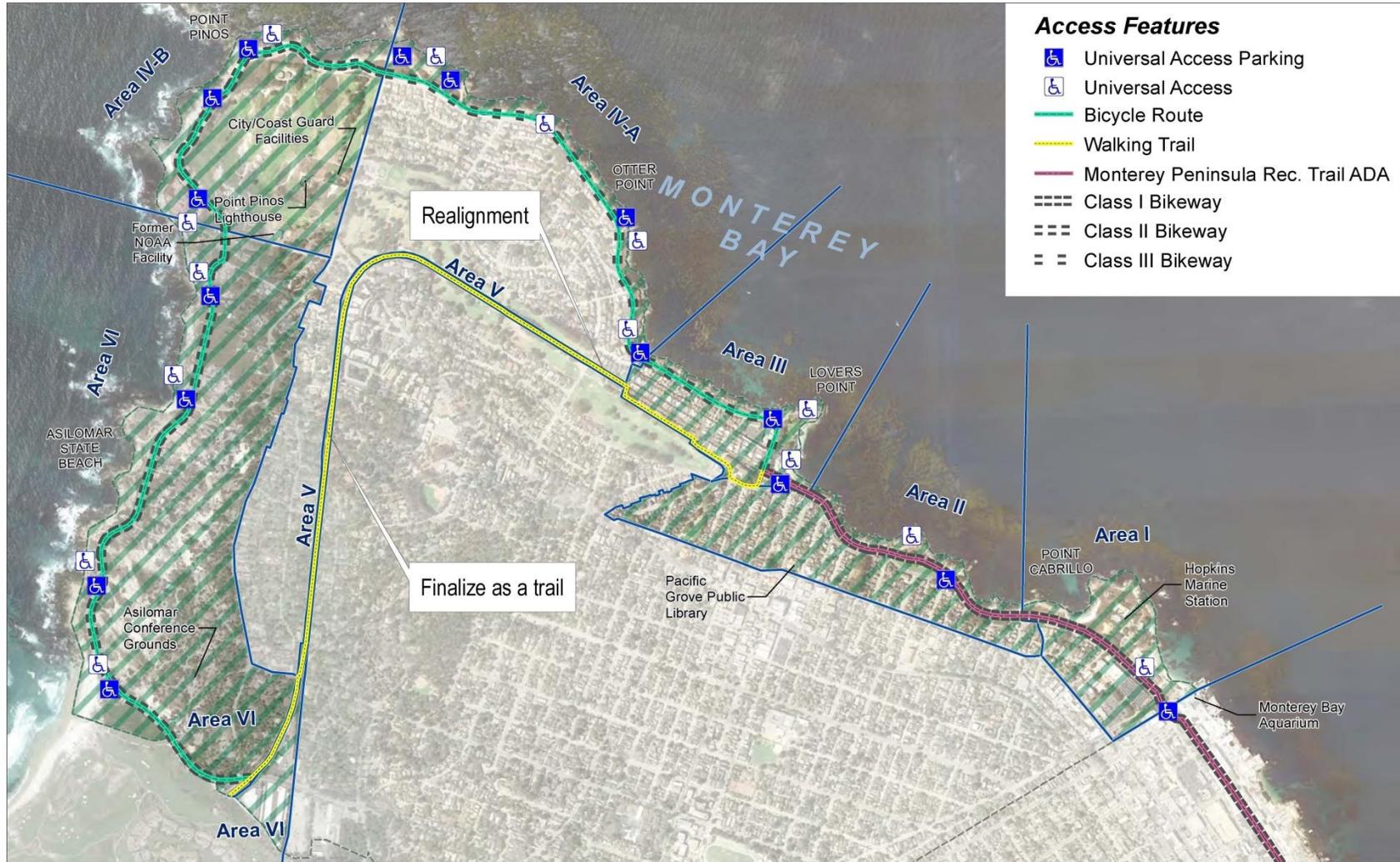
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- Planning Area Boundaries
- City of Pacific Grove
- Major Roads

Source: City of Pacific Grove, Google Earth 2013

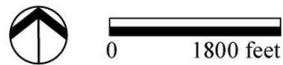
Land Habitat Sensitivity Overlay

City of Pacific Grove Land Use Plan



Access Features

- Universal Access Parking
- Universal Access
- Bicycle Route
- Walking Trail
- Monterey Peninsula Rec. Trail ADA
- Class I Bikeway
- Class II Bikeway
- Class III Bikeway



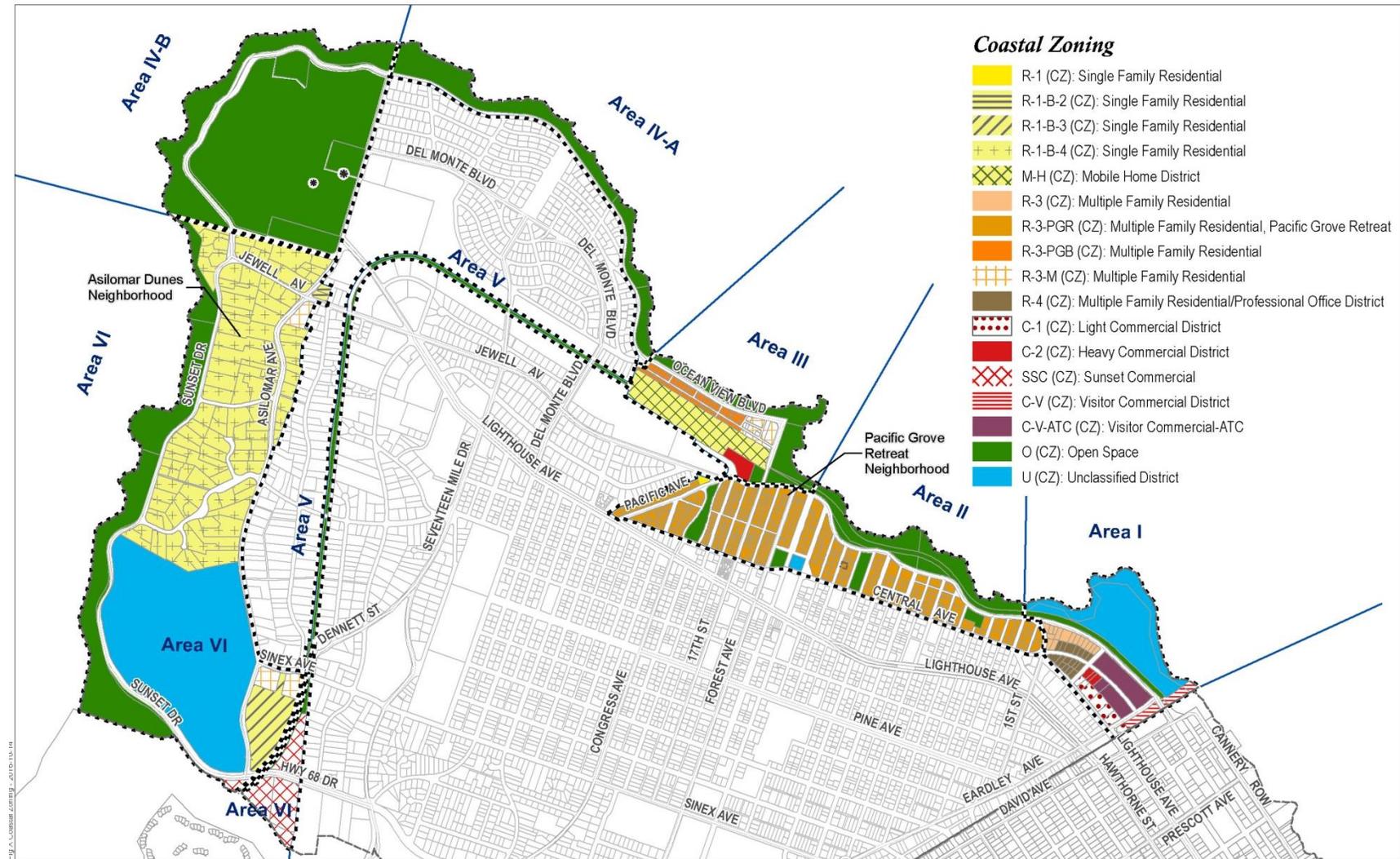
Legend

- Planning Area Boundaries
- City of Pacific Grove
- Major Roads
- Coastal Zone

Source: City of Pacific Grove 1989 and 1998, Google Earth 2013

Coastal Parks, Trails, and Resources

City of Pacific Grove Land Use Plan



Source: City of Pacific Grove 2014, Google Earth 2013



- Legend**
- Planning Area Boundaries
 - City of Pacific Grove
 - Major Roads
 - ⋯ Coastal Zone

City of Pacific Grove Coastal Zoning

City of Pacific Grove Implementation Plan