NOTICE OF SPECIAL MEETING

CITY OF PACIFIC GROVE

PLANNING COMMISSION

SPECIAL MEETING

6:00 p.m., Wednesday, June 1, 2016

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

Copies of the agenda packet, and materials related to an item on the agenda submitted after distribution of the agenda packet, are available for review at the Pacific Grove Library located at 550 Central Avenue; the CDD counter in City Hall at 300 Forest Avenue, Pacific Grove from 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m., Monday through Thursday; and on the internet at www.cityofpacificgrove.org/pc. Recordings of the meetings are available upon request. Materials can also be requested of staff during the PC hearing. Structures listed on the City's Historic Resources Inventory are denoted on the agenda with an "(HRI)" next to their project address.

1. **Call to Order - 6:00 p.m.**

2. **Roll Call**
   Commissioners: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Mark Chakwin (Secretary), Bill Fredrickson (Chair), Don Murphy, Nicholas Smith

3. **Agenda**
   a. **Local Coastal Program Land Use Plan Major Policy Issues and Implementation Plan Major Issues**
   Description: Overview of substantive Land Use Plan and Implementation Plan issues raised by Coastal Commission staff.
   CEQA Status: Exempt per CEQA Guidelines
   Staff Reference: Mark Brodeur, Community and Economic Development Director
   Recommended Action: Review substantive issues raised by Coastal Commission staff and timeline and provide direction.

4. **Adjournment**

The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of devices are available to assist those who are deaf or hard of hearing.

GENERAL NOTICE

- Please note that Section 65009(b)(2) of the California Government Code provides that legal challenges to the City's action on a project may be limited to only those issues raised in testimony during the public hearing process. PC will not consider any new items after 9:00 p.m. Any items remaining on the agenda will be continued either to the next regular meeting or to a special meeting at the discretion of PC. This meeting is open to the public and all interested persons are welcome to attend.

NOTICE TO APPLICANTS

- **Appearance by Applicant/Representative:** Applicants or their representatives must be present at the meeting for which their item, including those items on the Consent Agenda, is scheduled. If unable to attend, the applicant must submit a written request for continuance prior to the meeting. The item may be denied if continuance is not requested.
- **Submittal of Written Communications:** In order to receive due consideration by the PC, written communications pertaining to agenda items should be submitted to CDD by 12:00 noon on the Tuesday prior to the meeting. Materials submitted subsequent to that time, or directly to the PC at the meeting, may, at the Commission's discretion; result in a continuance of the item.

- **Site Review:** If the project, at the time of the site review, is not visible without entering a structure or yard area, the applicant must be present or arrange to show the project area.
- **Subcommittee Items:** Items to be reviewed by subcommittee at the action of the PC must be submitted for review within 30 days of PC decision. Details submitted after 30 days will be subject to review by the full PC.
- **Appeals and Appeal Period:** Decisions rendered by the PC may be appealed to the City Council using a form available at the CDD. The appeal form, plus an appeal fee, must be filed with the CDD within 10 days of the action being appealed. The aforementioned appeal period notwithstanding, the City Council reserves the right to call up for review PC decisions until its next regularly scheduled meeting. No building permit pertaining to a PC action may be issued until the appeal period has passed.
- **Effective Date of Entitlement:** Please note that your use permit/variance does not become effect and therefore neither a building permit nor occupancy certificate may be issued until the resolution granting the use permit/variance has been signed by the applicant and property owner. This resolution will be mailed to the applicant following the PC action.
- **Judicial Time Limits:** This serves as written notice that Pacific Grove Municipal Code (PGMC) §1.20.010 incorporates §1094.6 of the Code of Civil Procedure of the State of California and provides a ninety-day limitation for judicial review of any final administrative decision by the council, or any board, commissioner, or officer of the city.
- **Building Permit:** PC approval of an application does not constitute an approval to do any construction without a building permit. Please contact the Building Division at 648-3183 for information about building permits. No building permit pertaining to a PC action may be issued until the 10-day appeal period and the City Council's call up period has passed.
- **Notice of Exemption (NOE) under the California Environmental Quality Act (CEQA):** All projects are subject to CEQA and disclosure. CEQA status is noted on the agenda for each project. Applicants with approved projects that have been deemed statutorily or categorically exempt under CEQA may file a NOE directly with the Monterey County Clerk to reduce the CEQA challenge period from 180 days to 35 days (CEQA Guidelines Section 15062). Applicants wishing to file the NOE should contact their planner for instructions on how to file the notice with the County. Please note the Monterey County Clerk has a $50 filing fee for a NOE. Filing of a NOE by the City of Pacific Grove is not required. CEQA determinations are included in the public hearing notices for all projects.

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Planning Commission
FROM:	Anastazia Aziz, AICP, Senior Planner Mark Brodeur, Director of Community and Economic Development
MEETING DATE:	June 1, 2016
SUBJECT:	SUPPLEMENTAL REPORT – Coastal Parks Plan and Local Coastal Program
CEQA STATUS:	Statutory Exemption S. 15265

RECOMMENDATION

Consider the attached revised text and include the 1998 Coastal Parks Plan as an Appendix to the Implementation Plan.

DISCUSSION

Coastal Commission staff recently raised the point that the current 1998 Coastal Parks Plan, an amendment to the 1989 Land Use Plan, is out of date and does not reflect many of the new and updated policies in the May 2016 Land Use Plan including those that address sea level rise and associated hazards.

Staff agrees that the current Coastal Parks Plan requires updating to better reflect the sea level rise hazards such as flooding and erosion related to increased sea levels. In order to update the Plan, staff must assess the scope of work, estimate the associated budget, and seek funding from various sources including outside grant funds.

Until the Coastal Parks Plan update is completed there are various options to address the out of date Plan including but not limited to:

1) Include the existing Coastal Parks Plan as an Appendix to the Implementation Plan and use it as a reference for coastal parks projects, but the updated policies in the Land Use Plan would govern any new projects. The attached draft language for Section 1.3.3 reflects this option.
2) Remove the Coastal Parks Plan entirely from the Local Coastal Program.
3) Retain the Coastal Parks Plan as an amendment to the updated 2016 Land Use Plan.

RESPECTFULLY SUBMITTED:

Anastazia Aziz, AICP, Senior Planner

REVIEWED BY:

Mark Brodeur, Director, CEDD

ATTACHMENTS

A. Coastal Parks Plan Sample Text
B. CEQA Notice of Exemption
C. Local Coastal Program 2016 Issues
D. May 2016 Final Land Use Plan

1.3.3 Coastal Parks Plan

The *Pacific Grove Coastal Parks Plan* (Coastal Parks Plan) was adopted as an element of the Local Coastal Program Land Use Plan in August 1998. ~~Its purpose is to guide the design, management, restoration, and enhancement of the coastal parks planning area consistent with state and community objectives. As an element of the Local Coastal Program Land Use Plan, the Coastal Parks Plan is also required to be consistent with the Coastal Act.~~ The ~~Coastal Parks Plan~~ plan ~~is~~ was applicable to an area of about 248 acres, including the Lighthouse Reservation (Asilomar Avenue on the east, Lighthouse Avenue on the south, and the shoreline), Berwick Park, Lovers Point Park, Perkins Park, Asilomar State Beach and Conference Grounds, other land seaward of and including Ocean View Boulevard and Sunset Drive, and the Union Pacific Railroad right-of-way (previously the Southern Pacific Railroad; Southern Pacific Railroad is now merged with Union Pacific Railroad). The Coastal Parks Plan provided a tool for implementing certain ~~The Coastal Parks Plan addresses~~ trail~~s~~, bikeway~~s,~~ parking and circulation, ~~coastal resources,~~ and visual ~~quality~~ quality policies of the 1989 Land Use Plan.~~and appearance~~. Current Land Use Plan policies are implemented through measures identified in the Implementation Plan. Although the 1998 Coastal Parks Plan is not currently part of the Local Coastal Program, it is the City's intent to include it in the near future once the Coastal Parks Plan has been updated accordance with policies identified in this Land Use Plan and accompanying actions identified in the Implementation Plan. ~~Development within this defined area must be consistent with not only the Coastal Parks Plan, but also the Land Use Plan, and the Implementation Plan.~~ For informational purposes, the 1998 Coastal Parks Plan has been included as an appendix to the Implementation Plan.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Monterey County

From: (Public Agency): City of Pacific Grove
300 Forest Ave.
Pacific Grove, CA 93950
(Address)

Project Title: Local Coastal Program

Project Applicant: City of Pacific Grove

Project Location - Specific:
Pacific Grove coastal zone.

Project Location - City: Pacific Grove Project Location - County: Monterey

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: California Coastal Commission and City of Pacific Grove

Name of Person or Agency Carrying Out Project: City of Pacific Grove

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☒ Statutory Exemptions. State code number: 15265

Reasons why project is exempt:
Preparation of Local Coastal Program by the City of Pacific Grove for Coastal Commission certification..

Lead Agency Contact Person: Anastazia Aziz, AICP, Sr. Planner Area Code/Telephone/Extension: 831-648-3192

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Planning Commission
FROM:	Anastazia Aziz, AICP, Senior Planner Mark Brodeur, Director of Community and Economic Development
MEETING DATE:	May 19, 2016
SUBJECT:	Local Coastal Program - Land Use Plan and Implementation Plan issues for consideration
CEQA STATUS	Statutory Exemption, CEQA Guidelines Section 15265

RECOMMENDATION
Receive as information and provide direction.

BACKGROUND
The Local Coastal Program Update was initiated in April 2014 when the Coastal Commission awarded a grant of $130,000 to assist the City in achieving Local Coastal Program certification. To date, staff and EMC Consultants have held various public workshops, meetings, work sessions with the Planning Commission, and joint sessions with Council. The 2nd Draft Land Use Plan and the accompanying Draft Implementation Plan (zoning ordinances) were released in January 2016.

In March 2016, staff received a plethora of comments from the Coastal Commission on policy issues in the January 2016 Draft Land Use Plan. Additionally, further comments from the public, Planning Commission and Council were received. The May 2016 Land Use Plan has been updated to reflect these comments and is attached and available for review; however the issues listed below remain outstanding.

It is important to note that the Local Coastal Program, like many long range planning documents, is a dynamic document and will be amended and updated over time. The Program may be amended up to four times per year to reflect the changing needs of the community.

DISCUSSION
Issues under further discussion with Coastal Commission staff are described below for discussion and policy direction. The May 2016 Land Use Plan and Implementation Plan will be updated accordingly.

Land Use Plan Issues

1. ***Sea Level Rise and Associated Hazard Erosion and Flooding Policies***
   The City's Coastal Commission grant stipulated that the City's Updated Local Coastal Program address sea level rise. The Coastal Commission's Sea Level Rise Policy Guidance, adopted in August 2015, provides an overview of the best available science on California sea level rise and recommended methodology for addressing sea level rise in coastal areas.

The City's Vulnerability Assessment was released in January 2015 and used the best readily available data at that time. The recently updated *Monterey County Multi-Jurisdictional Hazard Management Plan* and the Pacific Institute were solicited as sources. Data was available for Pacific Grove with a 2100 time horizon but no data was available for earlier time horizons such as 2025 or 2050 or for potential erosion from Point Pinos to Asilomar Beach. The hazard maps were prepared using a projected sea level rise high of 55" by 2100. Staff received many comments regarding the establishment of new hazard policies related to erosion and flooding as possible impacts due to sea level rise, as well as issues regarding the year 2100 as a basis for developing the hazard zone.

In preparation for the February 24, 2016 Joint Council and Planning Commission Workshop, the City's hazard maps were updated using recently available 2025 and 2050 sea level rise data but the outcomes were not significantly different from 2100. Data gaps still remain from Point Pinos to Asilomar (see attached Hazard Map).

At the Joint Workshop, there was general sentiment from both the Planning Commission and Council that requiring geo hazard technical reports for new development based on a potential impact 80 years into the future was unreasonable. Planning Commission and Council suggested an alternative, using 2" in local sea level rise as a more tangible and reasonable trigger to require additional technical reports.

Staff spoke at length about this issue with Coastal Commission staff. The Coastal Commission requires geo technical reports that assess the life of the structure, which is generally 75-100 years of use, for designated hazard areas. The reports generally either require additional setbacks or changes to the structure to accommodate flooding or erosion if feasible.

One option to consider is a policy that requires an initial screening of the project and hazard area, and a determination as to whether additional supporting technical reports are warranted at the time of coastal development permit submittal. The screening would identify if the parcel is inherently subject to coastal hazards such as erosion or flooding. If the screening shows the hazard risks are non-existent or if the project is located inland away from the shore, then no formal report is needed. When sea level rise reaches 2" locally, technical reports will be required for all projects in the hazard zone.

2. ***Definition of existing development***

Legally permitted "existing development" is an important term to define in order to determine legal non-conforming status, the definition of demolition, and when a structure must be brought into full conformance with coastal regulations. The term affects whether a property can maintain legal non-conforming status for uses and development standards such as setbacks, height, parking requirements, and hazard requirements.

The Coastal Act was passed in 1976 and Coastal staff suggested applying the cutoff date of January 1, 1977 to define "existing development." The implications include affecting what constitutes a demolition to a structure and the amount a structure may be demolished or renovated before triggering compliance with existing regulations. This would require review of building and planning permit history to determine pre and post January 1, 1977 construction dates. Any modifications after that date would not be included in the definition of "existing development" and could affect how

much a structure could be modified before triggering full conformance with all regulations including setbacks, height, hazard requirements, etc.

However, City staff proposes using the adoption date of June 7, 1989 of the City's current Land Use Plan to define existing development. The adoption date is significant in that it represents the date that local coastal zone policies were adopted and implemented. A review of planning and building permit history since 1989 rather than 1977 would still be required.

3. ***Stormwater Runoff and Water Quality***

Monterey Bay is one of the City's greatest assets. The Bay is a natural resource that provides diverse and highly valued coastal and marine habitats in additional to unparelled scenic value. Pacific Grove's water and marine resources include the rocky intertidal and subtidal areas of the coastline interspersed with sandy beaches and rocky bluffs. Water quality plays a vital role to the overall health of the Bay.

The City is subject to stormwater and runoff regulations by the State Water Board and is part of the Monterey Regional Stormwater Management Program. The primary mechanism is the City's National Pollutant Discharge Elimination Permit (NPDES) Phase II Municipal Permit. Additional regulations are forthcoming for the City's Area of Special Biological Significance, also administered by the State Water Board. The City's current NPDES permit which is issued on a 5 year cycle includes a number of regulations to improve stormwater runoff. The permit governs construction sites, industrial discharges, illicit discharge detection and illumination (illegal storm drain dumping), restaurants, public education and outreach, municipal operations such as the City's Corporation Yard, and new development.

Stringent technical regulations for new development were instituted on March 6, 2014. City Planning staff have been fastidiously implementing these regulations for projects that meet the permit thresholds and reporting results annually to the State Water Board. A City webpage regarding stormwater and new development provides an overview of project impervious surface thresholds, which start at 2,500 square feet of new or replaced impervious surface. The webpage also describes associated performance requirements, such as implementing Low Impact Development (LID) site design measures, or for projects that are required to design a stormwater treatment measure to treat the 85th or 95th percentile of the 24-hour storm. The City is also responsible for inspecting each stormwater treatment measure annually and reporting results to the State Water Board. Staff encourages all project applicants to incorporate Low Impact Development site design measures to protect water quality.

Coastal Commission staff has indicated that all new development projects in the coastal zone, regardless of size, shall be required to include stormwater runoff treatment facilities engineered to treat the 85th percentile of the 24-hour storm.

City staff recommends that policies supportive of water quality and implementation of the State Water Board's NPDES permit requirements to be included in the Land Use Plan, but that technical sizing requirements not be specified. Reasons include potential for conflict with the State Water Board requirements, particularly as new NPDES permits are issued on a five year cycle, and possible conflict over which regulations prevail.

4. ***Fencing and Subdivision in the Asilomar Dunes Neighborhood***
   The Asilomar Dunes residential area (bounded by Lighthouse Ave, Asilomar Avenue and Asilomar State Beach and Conference Grounds) is the location of sand dunes that support rare and endangered biological resources. The entire area is designated as an Environmentally Sensitive Habitat Area and staff proposes to also designate this area a Special Community. The area, which was annexed by the City in 1980, was previously subdivided into residential parcels.

   There are currently a number of additional development restrictions governing this area, including limitations on fencing to reduce impacts on public views, and allowance for free passage of native wildlife and seeds. Coastal Commission staff has been interpreting this policy to mean no on-site fencing. The Coastal Commission has been conditioning new development in this area to remove existing perimeter fencing and any other on-site fencing.

   City staff proposes to allow new perimeter fencing that is limited to minimal symbolic fencing such as a split rail fence, that is necessary to protect native dune habitat and allows for free passage of sand, seeds, and wildlife. Staff also proposes to allow enclosure of up to 5% of lot area that may be used as proximate outdoor living space.

   Additionally, the current Local Coastal Program states that new subdivisions in the Asilomar Dunes shall be allowed only where potential adverse impacts to sensitive habitats can be prevented. Minimum lot sizes in the Asilomar Dunes range from half to one acre depending on location, and approximately six parcels are large enough to be subdivided. Historically, the Coastal Commission has denied subdivision applications in this area because the proposed subdivision would adversely impact sensitive habitats.

   City staff proposes to allow subdivisions for resource dependent or conservation uses. By doing so, a subdivision would still be permitted; however, the uses of the new lots would be limited to passive uses such as trail development.

5. ***Implementing a Parking Program in Appropriate Areas***
   The City of Pacific Grove has been subject to budget issues for many years and funding for City operations remains scarce. In order to create a more sustainable funding source to fund coastal access and coastal restoration projects, the City proposed a new policy to allow for future metered parking programs in appropriate areas of the City. Many other cities, including the City of Monterey, have robust parking meter programs in the coastal zone. Identifying areas within the City's coastal zone that are appropriate for a metered parking program and possible revenue stream would help alleviate funding issues for coastal access and restoration programs.

   A Coastal Development Permit would likely be the mechanism for implementation. Coastal staff is considering the proposed policy.

Implementation Plan

The Coastal Commission requested many organizational and administrative changes which staff is reviewing. The requests include removing cross-references to the existing Zoning Code and integrating the City's existing zoning districts directly into the Implementation Plan. Substantial issues raised for consideration with Coastal Commission staff are described below for discussion and policy direction.

1. ***Commercial-Visitor Zoning District Height Limit***
   The Coastal Commission wants the City to consider if 40 feet is too high for buildings in certain areas of the Coastal Zone Commercial-Visitor (C-V) District. Existing height standards include a reduced height limit to 18 feet that applies when buildings are adjacent to certain residential zones (R-1, R-H, R-2). With the American Tin Cannery site rezoning to C-V-ATC, the only remaining C-V District in the Coastal Zone will be along the east side of Eardley Avenue. This new boundary will extend to the shoreline to encompass the eastern Hopkins Marine Lab buildings adjacent to the Monterey Bay Aquarium.

   Staff will consider if there is justification for a reduced height limit adjacent to coastal open space areas. Hotels are a proposed permitted use in the new Sunset Service Commercial zoning designation. Adjacent uses include residential uses, as well as Majella Slough and the linear Union Pacific railroad open space area.

2. ***American Tin Cannery Zoning***
   The recent passage of Measure X approved re-zoning the American Tin Cannery site and adding a hotel use. Reference to the new zoning district will be incorporated into the Land Use Plan. A new zoning district, C-V-ATC, will be added to Implementation Plan maps and commercial use and development standards tables.

   Staff proposes to rely principally on the development regulations that apply to the C-V district, with the exception that the floor area ratio (FAR) be increased to 3.0 instead of 2.0. This better reflects the more urban developed nature of this area of Pacific Grove and also reflects the surrounding built environment along Cannery Row. The Coastal Commission is considering this proposed change.

3. ***Standards for Development for Visitor Serving Parcels***
   There is currently a density limit of 2,500 square feet per hotel/motel unit. This standard along with setback and height requirements generates a very low-density suburban type automobile-oriented motel/hotel development. A density limiting the number of units in a hotel or motel based on parcel size is generally not a common development standard used to control the size of a development. Generally height restrictions, setbacks, parking requirements and floor area ratios are the means used to regulate the size and density of a development.

   Staff proposes to remove the reference to the 2,500 square foot density requirement and Coastal Commission concurs with this direction. Properties currently zoned R-3-M would still be subject to this restriction due to the voter approved initiative commonly referred to as Measure U.

Adoption Timeline

Given the extensive comments received in March from Coastal Commission staff, the timeline adopted by Council in January 2016 has been revised:

2016 Local Coastal Program Revised Adoption Timeline

Activity	Date
Planning Commission Policy Issue Discussion	May 19, 2016
Planning Commission Study Session – Land Use Plan and Implementation Plan	June 1, 2016 (tentative)
Planning Commission Recommendation on Final Local Coastal Program to Council (Land Use Plan and Implementing Ordinances)	June 2, 2016
City Council Local Coastal Program Hearing	June 15, 2016
Submit to Coastal Commission	June 22, 2016
Coastal Commission Hearing	TBD, tentatively August 2016
Council Adoption of Certified Local Coastal Program	TBD

Note: Timeline subject to change

RESPECTFULLY SUBMITTED:

Anastazia Aziz, AICP
Senior Planner

REVIEWED BY:

Mark Brodeur, Director,
Community and Economic Development Dept.

ATTACHMENTS:

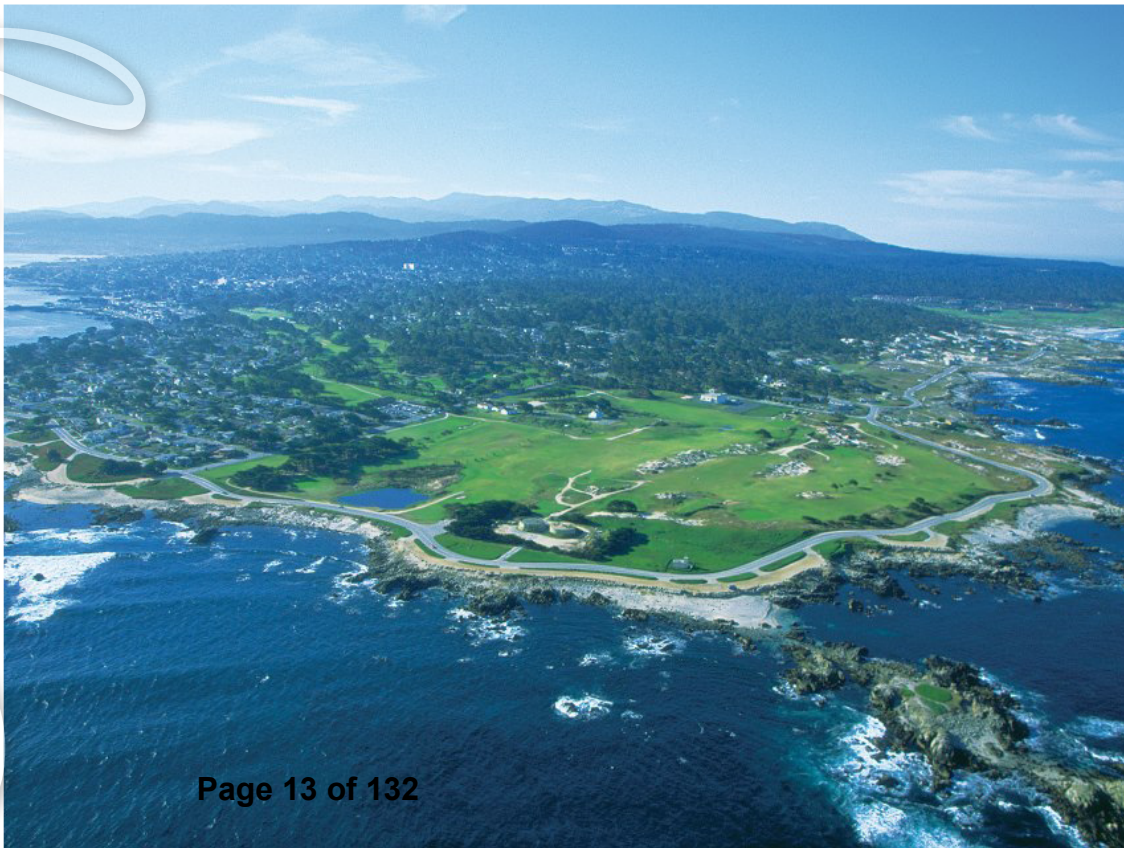
1. May 2016 Final Land Use Plan

CITY OF PACIFIC GROVE

Final Land Use Plan

A Component of the Local Coastal Program

MAY 2016



City of Pacific Grove

Final
Land Use Plan

A Component of the Local Coastal Program

PREPARED FOR

City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

PREPARED BY

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May 2016

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1.0 INTRODUCTION

1.1 PACIFIC GROVE LAND USE PLAN

The Pacific Grove Land Use Plan, in combination with a separately published Implementation Plan, comprises Pacific Grove's Local Coastal Program.

The Local Coastal Program will govern land use and development in the Pacific Grove Coastal Zone. However, before that can occur, the Coastal Commission must certify that this Land Use Plan is is in conformity with the requirements of Chapter 3 of the California Coastal Act and that the accompanying Implementation Plan conforms with and carries out the provisions of the Land Use Plan. After the certifications occur, the adopted and certified Local Coastal Program becomes the legally binding standard of review for issuing Coastal Development Permits for activities within most of the Pacific Grove Coastal Zone. It also becomes the coastal element of the Pacific Grove General Plan.

Pacific Grove's Coastal Zone is comprised of approximately 458 acres as shown on Figure 1, Coastal Zone and Planning Areas. With minor exceptions, development within that zone requires issuance of a Coastal Development Permit. Development includes such activities as the construction of buildings, divisions of land, and activities that change the intensity of land use or public access to coastal waters. The Coastal Act can be found at §30000 et seq. of the California Public Resources Code.

In 1989, the Coastal Commission certified that the predecessor of this Land Use Plan, Pacific Grove's 1989 Coastal Land Use Plan, was consistent with Chapter 3 of the Coastal Act. However, since Pacific Grove had not by then finalized an Implementation Plan, the City still lacked a completed Local Coastal Program. Thus, jurisdiction over Pacific Grove's Coastal Zone remained with the Coastal Commission.

1.2 CALIFORNIA COASTAL ACT

Until 1972, land use in the California coastal area was regulated by local governments under the provisions of State Planning and Zoning Law, the same way that land use outside the Coastal Zone is still regulated. However, the general election of November 1972, changed that when California voters approved a ballot initiative known as Proposition 20 ("The Coastal Initiative"), establishing the California Coastal Commission and six regional commissions. The charge of these commissions was to manage the Coastal Zone as a resource of statewide interest through the exercise of permit authority. Concurrently, the commissions were to prepare a comprehensive Coastal Plan "to preserve, protect, and where possible, to restore the resources of the Coastal Zone for the enjoyment of the current and succeeding generations." The Coastal Plan, completed in late 1975, served as the basis for permanent coastal legislation.

The permanent coastal legislation was initiated in 1976 when the state legislature passed the California Coastal Act of 1976 (Coastal Act). The Coastal Act requires each coastal city and county to prepare a Local Coastal Program that establishes the kind, location, and intensity of land and water uses appropriate to its portion of the Coastal Zone, as well as the resource protection standards that such development must meet. The Coastal Act is part of the state's Public Resources Code, beginning at §30000. Local Coastal Program policies and standards, are intended to reflect and carry out the coastal resources planning and management policies contained in Chapter 3 of the Coastal Act (Public Resources Code §30200). The basic goals of the Coastal Act, as stated in Public Resources Code §30001.5, are to:

> a) Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
>
> b) Assure orderly, balanced utilization and conservation of the Coastal Zone resources taking into account the social and economic needs of the people of the state.
>
> c) Maximize public access to and along the coast, and maximize public recreation opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
>
> d) Ensure priority for coastal-dependent development and coastal-related development over other development on the coast.
>
> e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

0 1800 feet

Legend

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

Source: City of Pacific Grove, Google Earth 2013

Figure 1

Coastal Zone and Planning Areas

City of Pacific Grove Land Use Plan

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Local Coastal Programs contain the ground rules for future development by specifying appropriate location, type, and scale of new or changed uses of land and water and the protection of coastal resources by governing decisions that determine the short- and long-term conservation and use of coastal resources. While each Local Coastal Program reflects unique characteristics of individual local coastal communities, regional and statewide interests and concerns must also be addressed in conformity with Coastal Act goals and policies.

1.3 PACIFIC GROVE LOCAL COASTAL PROGRAM

A central feature of the Coastal Act is the transfer of most of the permitting authority vested in the Coastal Commission by the Coastal Act to the local governments through adoption and certification of a Local Coastal Program. The Local Coastal Program consists of a local government's land use plans, zoning ordinance, zoning district maps, other ordinances, and implementing actions, which when taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act at the local level. Each Local Coastal Program will reflect the coastal issues and concerns of the local jurisdiction and must be consistent with the statewide policies of the Coastal Act. The adopted and certified Local Coastal Program is legally binding on the local jurisdiction and becomes the legal standard of review for the issuance of Coastal Development Permits within most of the City's Coastal Zone (with some areas of retained permitting jurisdiction still subject to Coastal Commission processes and compliance with the Coastal Act). Certification by the Coastal Commission will result in the transfer of the primary authority to issue Coastal Development Permits to the local government, with the Coastal Commission retaining jurisdiction on appeal within designated appealable areas, as well as retaining permit issuing authority over development within tidelands, submerged lands, and public trust lands, whether filled or unfilled.

The Local Coastal Program is an important process in determining the future of Pacific Grove's Coastal Zone. Like any planning program, the Local Coastal Program must remain current in order to be effective. The Coastal Act provides for Commission review of the Local Coastal Program at least every five years, and, in addition, the City may prepare and submit Local Coastal Program amendments for review by the Coastal Commission on a periodic basis. Amendments must also be "certified" by the Coastal Commission before becoming effective. Commission regulations currently permit up to three Local Coastal Program amendments each year (Public Resources Code §30514(b)).

1.3.1 Land Use Plan

The Land Use Plan is defined in the Coastal Act as the:

> . . . relevant portions 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 Resources Code §30108.5)

The Land Use Plan provides policy direction for decision-makers, property owners, and the public regarding coastal land use and development. It also includes a land use map that shows generally the uses that are appropriate in each area, maps of sensitive biological resources, and maps of other coastal resources, as appropriate, such as coastal public accessways and scenic resources.

Pacific Grove's Coastal Scenery. Photo Credit City of Pacific Grove.

1.3.2 Implementation Plan/Zoning Ordinance

The Implementation Plan, or implementing actions, is defined in the Coastal Act as:

> …the ordinances, regulations, or programs which implement either the provisions of the certified local coastal program or the policies of this division and which are submitted pursuant to §30502 [Designation of sensitive coastal resource areas]. (Public Resources Code §30108.4)

It includes the relevant portions of the zoning code applicable to the Coastal Zone and other programs needed to carry out the goals, policies, and land use designations of the Land Use Plan. The zoning code lists allowable land uses for each zoning district, implements appropriate height, bulk, and setback requirements for development, and specifies the coastal resources protection standards that allowable development must meet, all of which must be based upon Land Use Plan policies. The Implementation Plan also contains zoning maps that show which zoning rules apply to each lot. In addition, it contains procedural requirements that govern the

types of projects requiring a Coastal Development Permit, how a Coastal Development Permit can be obtained, and the opportunities for public participation in Coastal Development Permit review.

1.3.3 Coastal Parks Plan

The *Pacific Grove Coastal Parks Plan* (Coastal Parks Plan) was adopted as an element of the Local Coastal Program Land Use Plan in August 1998. Its purpose is to guide the design, management, restoration, and enhancement of the coastal parks planning area consistent with state and community objectives. As an element of the Local Coastal Program Land Use Plan, the Coastal Parks Plan is also required to be consistent with the Coastal Act. The Coastal Parks Plan is applicable to an area of about 248 acres, including the Lighthouse Reservation (Asilomar Avenue on the east, Lighthouse Avenue on the south, and the shoreline), Berwick Park, Lovers Point Park, Perkins Park, Asilomar State Beach and Conference Grounds, other land seaward of and including Ocean View Boulevard and Sunset Drive, and the Union Pacific Railroad right-of-way (previously the Southern Pacific Railroad; Southern Pacific Railroad is now merged with Union Pacific Railroad).

The Coastal Parks Plan addresses trails, bikeways, parking and circulation, coastal resources, and visual quality and appearance. Development within this defined area must be consistent with not only the Coastal Parks Plan, but also the Land Use Plan, and the Implementation Plan.

View of mural adjoining Pacific Grove recreation trail. The mural depicts Pacific Grove's coastal natural habitats and the historical progression of Pacific Grove's built environment in the Coastal Zone.

Photo by Jean Anton 2015

1.4 LAND USE PLAN ORGANIZATION AND SUPPORTING DOCUMENTS

The Land Use Plan is divided into two major sections, each of which focuses on a major group of Coastal Act policies. The two sections are:

- Natural Systems and Resource Management
- Built Environment

Each section includes background information, a summary of applicable Coastal Act policies, and local Land Use Plan policies. For some topics it is useful to refer to specific sections of Pacific Grove's Coastal Zone, and for this purpose, the Coastal Zone has been divided into seven planning areas, as shown on Figure 1, Coastal Zone and Planning Areas, presented earlier. The seven planning areas are:

Area I.	Point Cabrillo
Area II.	Pacific Grove Retreat
Area III.	Lovers Point
Area IV-A.	Ocean View Area
Area IV-B.	Point Pinos
Area V.	Union Pacific Railroad right-of-way
Area VI.	Asilomar

Two reports were prepared to support the Land Use Plan in 2015, the *Final Background Report – Pacific Grove Local Coastal Program Update* (Appendix A) and the *Final City of Pacific Grove Climate Change Vulnerability Assessment* (Appendix B). Reports previously prepared for the City regarding archeological resources, biological resources, and traffic and parking were also utilized to help inform Land Use Plan policy development. These documents are on file for review at the City of Pacific Grove Community and Economic Development Department and the Pacific Grove Public Library.

Each chapter contains introductory text, including background information and a description of the General Plan and other relevant policies and laws. Such introductory and background text provides some broad context for each chapter, but shall not be used as the legal standard of review for coastal permit decisions. Only the Land Use Plan policies shall be used as the legal standard of review. Furthermore, the following rules of interpretation shall apply:

1. When used in the Land Use Plan, the words "shall," "must," "will," "is to," and "are to" are always mandatory.

2. "Should" and "may" are not mandatory but are strongly recommended; and

3. "Including" means ". . . including but not limited to. . .".

1.5 RELATIONSHIP OF THE LAND USE PLAN TO OTHER PLANS AND LAWS

The Local Coastal Program is an element of the Pacific Grove General Plan. Additionally, any interpretation of its policies must be consistent with the coastal resources planning and management policies of the Coastal Act.

Within the Coastal Zone area of the City, the Land Use Plan shall take precedence over the General Plan and its other elements where policies conflict. When the Land Use Plan is silent, such as concerning the subject of noise, appropriate elements of the General Plan are in force. In reviewing or carrying out projects outside the Coastal Zone, the City will consider the effect of such projects or actions on Coastal Zone resources in order to ensure that the policies of the Land Use Plan are achieved.

1.6 RELATIONSHIP OF CITIZEN VOLUNTEER GROUPS TO THIS LAND USE PLAN

Since its founding in 1875 as a seaside resort, Pacific Grove has been a City with citizen volunteers who are dedicated to protection and maintenance of the unique natural and developed resources in the Coastal Zone. Citizens also volunteer to serve on the City's boards, committees and commissions, often with coastal stewardship as a goal. Below are a few recent examples:

1.6.1 Monitoring Birdlife

Citizen volunteers assist in carrying out the Coastal Act goal of maintaining and restoring the overall quality of the Coastal Zone environment. This includes a multi-year project of monitoring Black Oystercatcher birds. Black Oystercatchers inhabit Pacific Grove's rocky intertidal zone, nesting on rocky islands falling under the jurisdiction of the Bureau of Land Management and also shore-side rocky coast within the City's jurisdiction. They are sea birds that primarily feed in tide pools. The City has partnered with the Audubon Society and the Bureau of Land Management to boost Black Oystercatcher monitoring by volunteers who first undergo training in the specifics of collecting data about these birds. The volunteers also collaborate with the U.S. Fish and Wildlife Service which initiated a major effort to identify the distribution and abundance of Black Oystercatchers, determine their reproductive success, and assess habitat and habitat threats in order to determine recommended actions for the long-term success of the California population. The Black Oystercatcher was selected as a U.S. Fish and Wildlife Service Focus Species for priority conservation action because of its small population

size, restricted habitat, and threats to its habitat from human and natural factors. The monitoring efforts also benefit other birdlife such as Black Turnstone, Surfbird, and Wandering Tattler through proactive coastal stewardship, which furthers numerous biological resources and environmentally sensitive habitat policies in this Land Use Plan.

1.6.2 Harbor Seals

Volunteers assist in educating and informing the public about one of the most popular visual resources of Pacific Grove's shoreline, the harbor seals. The thousands of residents and visitors who hike and bicycle on Pacific Grove's shoreline recreation trail encounter volunteer members from Bay Net, a volunteer group started by the Monterey Bay National Marine Sanctuary in 1995. These volunteers deepen public understanding by explaining about the harbor seals hauling out (temporarily leaving the water between periods of foraging activity) and pupping on the beaches, particularly on the beach adjoining Hopkins Marine Station. About 15 Bay Net member volunteers are active at any one time. They advance the Coastal Act goal of an educated and informed citizenry that protects the Coastal Zone's finite natural resources.

1.6.3 Point Pinos Lighthouse

During a six-year period from 2009 to 2015, a group of Heritage Society volunteers successfully renovated the still-operating Point Pinos Lighthouse located in Area IV-B of Pacific Grove's Coastal Zone. Dating from 1855, it is the oldest working lighthouse on the Pacific Coast and a frequently-visited coastal landmark in the recreational open-space area of the Coastal Zone. These volunteers' efforts have restored and enhanced the lighthouse.

The Black Oystercatcher is a charismatic bird that feeds and nests on the shores of Pacific Grove. Pairs establish territories that they defend vigorously. Pacific Grove citizen volunteers monitor their nesting success after being trained in a program coordinated by the Pacific Grove Museum of Natural History.

Photo by Kim Worrell

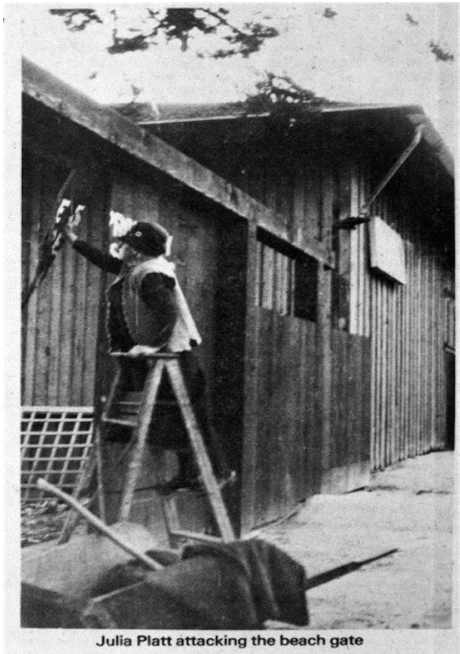
1.7 FORMER PACIFIC GROVE MAYOR JULIA PLATT THE EMBODIMENT OF THE SPIRIT OF THIS LAND USE PLAN

Pacific Grove is proud to carry on the legacy of Dr. Julia Platt, a legacy that goes back to 1899 when Dr. Platt arrived in Pacific Grove. Dr. Platt, then 42 years old, settled in Pacific Grove and worked tirelessly to improve the community by beautifying and providing access to the City's coast and protecting it from commercial overfishing and pollution. She opened up Lovers Point beach to the public, established Lovers Point Park, and provided the still unused plans for a park on the shore of Ocean View Boulevard between Asilomar and Acropolis Avenues. Her plan is included in the 2012 Point Pinos Trail Project. The plan was created by volunteer members of the Coastal Trail Improvement Subcommittee of the Pacific Grove Recreation Board, Historic Resources Committee, and Traffic Safety Commission.

As mayor from 1930 to 1932, Dr. Platt was instrumental in establishing the Pacific Grove Marine Gardens and the Hopkins Marine Life Refuge offshore of today's Coastal Zone Areas I to IVA. Today, three State Marine Protected Areas adjoin the coast of Pacific Grove:

1. Asilomar State Marine Reserve
2. Pacific Grove Marine Gardens State Marine Conservation Area (partial remnant of Platt's Pacific Grove Marine Gardens), and
3. Lovers Point-Julia Platt State Marine Reserve (the remainder of her Pacific Grove Marine Gardens plus the original Hopkins Marine Life Refuge).

Four decades before California adopted the Coastal Act, Dr. Platt led Pacific Grove in achieving Coastal Act goals such as coastal access.



Coastal Access: Image of Julia Platt in 1931 knocking down the fence that blocked entrance to Lovers Point Beach.

From Monterey Public Library, History Room Archive.

1.8 PACIFIC GROVE COASTAL ZONE

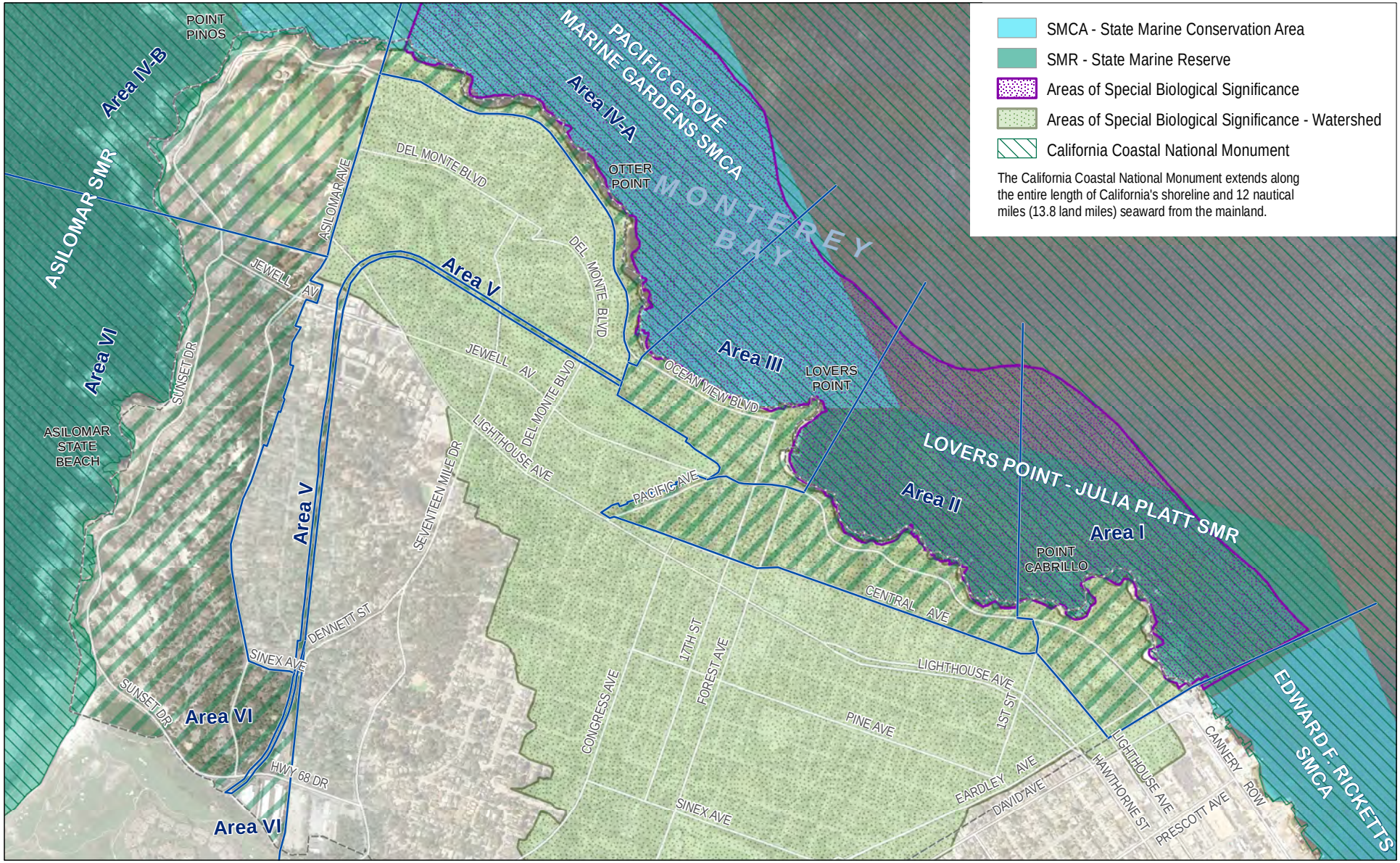
For Coastal Act purposes, the "Coastal Zone" is the geographic area to which the policies of the Coastal Act apply. It is defined by Public Resources Code §30103 and is shown on a set of maps prepared and certified by the California Coastal Commission. The Coastal Zone extends landward a variable distance, depending on topography, and other factors, and changes to its boundary can be made only by the state legislature, except for certain minor adjustments (e.g., to avoid bisecting a lot).

Pacific Grove's Coastal Zone encompasses approximately 458 acres (see Figure 1, Coastal Zone and Planning Areas, presented earlier). It extends from the Monterey Bay Aquarium located at the City's northeastern city limits abutting the City of Monterey and extends along to the City's southwestern city limits abutting the Del Monte Forest area, including the community of Pebble Beach, located in unincorporated Monterey County. Pacific Grove's Coastal Zone was historically much larger, but, in 1979 the California legislature removed approximately 300 acres from Pacific Grove's Coastal Zone in the area known as the beach tract ((see Public Resources Code §30160 (e)).

Bureau of Land Management (BLM) managed lands of the California Coastal National Monument are located within the Coastal Zone off the shore of Pacific Grove (see Figure 1-A, Protected Areas). President Clinton established the California Coastal National Monument by Presidential Proclamation No. 7264 on January 11, 2000 under the authority of the Antiquities Act (16 U.S.C. 431-433). This national monument includes all rocks, small islands, exposed reefs, and pinnacles above water at mean high tide off-shore of Pacific Grove.

Per the Proclamation, the purpose of the California Coastal National Monument is to protect and manage the natural land and cultural resources by protecting "all unappropriated or unreserved lands and interest in the lands owned or controlled by the United States in the form of islands, rocks, exposed reefs, and pinnacles above mean high tide within 12 nautical miles of the shoreline of the State of California." The proclamation also functions to elevate California's offshore lands to a national level, focuses the primary management vision on the protection of geologic features and habitat for biota, and tasks the Bureau of Land Management with the ultimate responsibility for ensuring protection.

The rocks, small islands, exposed reefs, and pinnacles serve as breeding grounds for many marine and terrestrial species, including resident and migratory birds and marine mammals. The rocks support a diverse assemblage of rocky intertidal zone plants and animal species. In the area spanned by the California Coastal National Monument, people enjoy recreational activities such as fishing, kayaking, wildlife viewing, scuba diving, and snorkeling. The California Coastal National Monument is also of aesthetic and economic value to coastal communities because these rocks and islands provide beautiful scenery for local residents and visitors, as well as a focal point within a vast ocean viewscape.



Source: City of Pacific Grove, Google Earth 2013

Figure 1-A

Protected Areas

City of Pacific Grove Land Use Plan

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For regulatory purposes, federal lands, such as the United States Coast Guard residences and the former National Oceanic and Atmospheric Administration Southwest Fisheries Science Center (both located in Planning Area IV-B), are under federal law considered excluded from the Coastal Zone and the City's Local Coastal Program jurisdiction.

Instead, federal lands (and federal projects on federal lands) are generally subject to a type of Coastal Commission jurisdiction known as "federal consistency review" provided by the federal Coastal Zone Management Act of 1972. Non-federal development on these federal lands will be subject to Coastal Development Permit review, issued by the Coastal Commission, and the Coastal Act as the legal standard of review, with the policies of the certified Local Coastal Program serving as guidance.

State lands, such as Asilomar State Beach and Conference Grounds, are located within the Coastal Zone and are subject to Coastal Development Permit requirements, with the policies of the certified Local Coastal Program primarily serving as the legal standard of review.

1.9 COASTAL DEVELOPMENT PERMITS

A Coastal Development Permit is a permit required for any activity that constitutes "development," as defined in the Coastal Act, within the Coastal Zone pursuant to Public Resources Code §30600(a), unless otherwise exempted or waived. The primary purpose of a Coastal Development Permit is to ensure that development within the Coastal Zone is consistent with Local Coastal Program and/or Coastal Act policies. "Development" is defined in the Coastal Act by Public Resources Code §30106. In accordance with the Coastal Act many different types of projects including subdivisions, road extensions, and grading, constitute development that may require a Coastal Development Permit. Certain types of development are exempt from Coastal Development Permit requirements (Public Resources Code §30610). In addition, the Coastal Act contains provisions Coastal Emergency permits in the event of an emergency (§30624).

The permitting process under a certified Local Coastal Program will enable the City to issue Coastal Development Permits, under review authority procedures to be developed as a part of the Implementation Plan. The Coastal Commission would maintain appellate authority in certain areas and for certain types of development. In general, the Coastal Commission requires that all opportunities for local appeal be "exhausted" (that is, taken through all available City procedures and decision-making bodies), prior to the filing of an appeal with the Coastal Commission. However, if the City charges an appeals fee, as Pacific Grove does, a prospective appellant with standing may file an appeal directly with the Coastal Commission.

The Coastal Commission will retain appeal jurisdiction over the following Coastal Development Permit applications (See Appendix A, Figure 1-3, Coastal Commission Appeal Authority, and Public Resources Code §30603):

- Development located within the geographic appeals area defined by the Coastal Act. This would be the area located between the Pacific Ocean, including the Monterey Bay, and the first public road paralleling the ocean or within 300 feet of the inland extent of any beach or the mean high tide line of the ocean where there is no beach (whichever is the greater distance); on tidelands, submerged lands, or public trust lands; where the Commission does not retain permitting authority within 300 feet of the top of the seaward face of any coastal bluff; or areas within 100 feet of any estuary, stream, or wetland. These geographic appeal areas are shown on maps adopted by the Coastal Commission;
- Development located within sensitive coastal resource areas, (i.e., the Asilomar Dunes Residential Area and the Asilomar Conference Grounds); and
- Development that constitutes major public works projects and/or major energy facilities projects.

1.10 TERMINOLOGY USED IN THE LAND USE PLAN

The following terms are used in this Land Use Plan:

- 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, 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).
- 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.
- 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 Dependent Use: Any development, or use that 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, tsunami, coastal flooding, landslides, bluff and geologic instability, and the interaction of same, and all as impacted by sea level rise.

- 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. Any administrative or discretionary permit issued by the City within the Coastal Zone is considered a Coastal Permit.

- 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; coastal development; public access and recreation opportunities; cultural, archaeological, and paleontological resources; and scenic and visual qualities. Coastal resources include by ate not limited to public access and public access facilities and opportunities, recreation areas and recreational facilities and opportunities (including for recreational water-oriented activities), 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 five 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 §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.

- Designated: Officially assigned a specified status or ascribed a specified name or quality to.

- Development: 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; 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; construction, reconstruction, demolition, or alteration in the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, and kelp harvesting.
- 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)
- Existing development: The term "existing development" refers to legally permitted structures in existence at the time the City of Pacific Grove's LUP component of its LCP first took effect (i.e. structures built prior to June 7, 1989).
- Feasible: "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.
- 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 (the IP) ensure that the objectives of the Land Use Plan are achieved.
- 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 Plan (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)

- Major critical infrastructure: Major to the critical infrastructure (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. It is noted that all "critical" infrastructure is critical, which could be considered major. This would be all of the above plus all sewer mains and lateral lines, local distribution lines and individual connections to potable water, gas, and power.

- Major energy facility: Any energy facility as defined by Public Resources Code §30107 and exceeding one hundred thousand dollars in estimated cost of construction.

- Major public works project: Any public works project as defined by Title 14 California Code of Regulations §13012 and exceeding one hundred thousand dollars in estimated cost of construction.

- Major structural components: The foundation, floor framing, exterior wall framing and roof framing of a structure. Basically what is holding a structure upright.

- Major vegetation: The Local Coastal Program recognizes that certain trees constitute "major vegetation," the removal of which constitutes development that requires a Coastal Development Permit. Ordinances regulating tree removal from public and private property are in place. A Coastal Development Permit is required for removal of all defined native trees in Title 12 including all Gowen Cypress regardless of size; Coast Live Oak, Monterey Cypress, Shore Pine, Torrey Pine, Monterey Pine six (6) inches or greater in trunk diameter measured 54 inches above grade.

- New development: Development that occurred or will occur after the date of the City of Pacific Grove's LUP component of its LCP first took effect (i.e. June 7, 1989).

- Non-conforming: A type of zoning variance where a parcel of land may be given an exception from current zoning ordinances due to improvements made by a prior owner or before the current zoning ordinances made the desired use non-conforming under local law

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

- Public Access: The right or privilege of citizens to visit an area or resource.

- 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.

- Redevelopment: An existing structure shall be considered redeveloped, whereby the entire structure is considered to be new development and must be found consistent with all applicable LCP policies, when such development consists of alterations including (1) additions to an existing structure, (2) exterior and/or interior renovations, and/or (3) demolition of an existing home or other principal structure, or portions thereof, which results in:

  1. Alteration of 50% or more of major structural components including exterior walls, floor and roof structure, and foundation, or a 50% increase in floor area. Alterations are not additive between individual major structural components; however, changes to individual major structural components are cumulative over time from the date of the City of Pacific Grove's LUP component of its LCP first took effect (i.e. June 7, 1989).

  2. Demolition, renovation or replacement of less than 50% of a major structural component where the proposed alteration would result in cumulative alterations exceeding 50% or more of a major structural component.

- Sea Level Rise: Gradual and long-term elevation of sea level can change, 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 scenic qualities and the views of scenic landscapes are considered especially valuable.

- 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).

- 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).

- Shall: Denotes a requirement that is mandatory whenever the criterion for conformance with the specification requires that there be no deviation.
- Should: Denotes a guideline or recommendation whenever noncompliance with the specification is permissible." When used as an auxiliary verb, it expresses "a conditional or contingent act or state … or moral obligation."
- Social well-being: Social well-being is an end state in which basic human needs (e.g. water, food, shelter, etc.) are met and people are able to coexist peacefully in communities with opportunities for advancement.
- 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 Resource Code §30253(e).
- 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.

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2.0 NATURAL SYSTEMS AND RESOURCE MANAGEMENT

Chapter Two discusses land use and development in relation to natural systems and resource management in Pacific Grove's Coastal Zone grouped into four topic areas. Coastal Act requirements for each topic are described followed by policies relevant to each topic. The four topic areas are identified by the abbreviations shown below:

1. Coastal Hazards and Sea Level Rise (HAZ);
2. Water and Marine Resources (MAR);
3. Scenic Resources (SCE); and
4. Biological Resources and Environmentally Sensitive Habitat Areas (BIO).

2.1 COASTAL HAZARDS AND SEA LEVEL RISE (HAZ)

2.1.1 Background - Natural Hazards and Sea Level Rise

Large winter waves and bluff erosion have long been hazardous to the built environment, as well as to natural systems and resource management in the Coastal Zone. Now, added to those historical challenges are the changes being brought by global climate change and the effects of sea level rise. Global climate change is amplifying other threats to ocean and coastal ecosystems, including erosion, pollution, and habitat loss. This Land Use Plan contains policies to respond to and address these hazards in the City's planning and permitting process.

Among the most significant natural hazards along the Pacific Grove coastline are large winter storms and waves, and ongoing bluff and shoreline erosion. Impacts associated with storms/waves and erosion have fallen disproportionately on the built environment and natural systems at the ocean-land interface. In addition, the Hopkins Marine Station has long been

listed as being particularly vulnerable to tsunamis (seismically-induced sea waves) (see *City's 2015 Climate Change and Vulnerability Analysis).* However, despite these areas of identified vulnerability, City studies currently indicate that tsunamis have a relatively lower potential for damage to life and property due to the configuration of Monterey Bay and orientation of the Pacific Grove Coastline.

Although the exposed granite rock mass at the Pacific Grove shoreline is generally erosion-resistant, a combination of wave and tidal action and heavy pedestrian use has resulted in localized shoreline erosion. The City has historically sought to remedy this problem through a sea wall construction program and some shoreline armoring. As a result, the natural character of the Bay shoreline within the City has been altered to some extent by shoreline armoring that has been installed between Point Pinos and Point Cabrillo.

While bluff erosion along the Pacific Grove shoreline has generally been a localized problem, the winter storms of 1982-83 resulted in extensive damage. Riprapping washed out, storm drains were damaged, and parking areas were destroyed by the strong waves from these storms. However, except for riprapping and sea walls which extend east of Point Cabrillo all the way to the eastern boundary of the City, including a portion of the Monterey Bay Aquarium, the immediate shoreline area is used predominately for open space/recreational purposes and with these exceptions there are few structural improvements seaward of Ocean View Boulevard.

Damage from strong storm surges at Hopkins Marine Station. Photo Credit - Gary Griggs, Ph.D., presentation: Sea-Level Rise, Shifting Shorelines and El Niño *11/11/15*

The Herald

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FLOODS BUT NO BLACKOUTS

Central Coast beaches, roads hit heavily by storm-blown waves

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Bush also picks Zoellick for trade post to round out his economic team

Monterey Herald pictures of storm surges crashing over Ocean View Boulevard, Pacific Grove CA. Photo Credit-Monterey Herald, 2001.

The intent of the natural hazards and sea level rise policies in the Land Use Plan is to recognize the potential risks and hazards associated with development along Pacific Grove's coast, including the probable impact of climate change, including sea level rise, and include policies to both govern potential development in this area and to address potential impacts. The best available science at the time of Coastal Development Permit review, including data and

information recommended for use by the California Adaptation Planning Guide and the California Coastal Commission's Sea Level Rise Policy Guidance must be used to help determine sea levels and potential hazards until such time as new data and information is available. This data may include:

- Cal-Adapt (an interactive website designed to provide data and information produced by the State's scientific and research community that provides a view of how climate change might affect California at the local level);
- The National Research Council's 2012 Report: *Sea Level Rise for the Coasts of California, Oregon and Washington: Past Present and Future*; and
- Local data as available, which in the case of Pacific Grove currently includes the data set from the *Monterey County Multi-Jurisdictional Hazard Mitigation Plan – Final Draft 2014* and the City of Pacific Grove Climate Change Vulnerability Assessment, completed in January 2015.
- Monterey Tide Gage (NOAA Station 9413450).

All the above listed reports project that climate change will intensify a variety of coastal hazards, as a result of sea level rise sea level rise.

A Climate Change and Vulnerability Analysis Report, as well as a Background Report, both dated January 12, 2015 were prepared in support of the Local Coastal Program. Potential climate changes that may affect Pacific Grove's Coastal Zone include increases in temperature, shifts in precipitation, higher sea level, more severe storms, and ocean acidification. Although a secondary impact of climate change, Pacific Grove's Coastal Zone is also at increased risk of exposure to wildfire. Specific changes are difficult to predict and considerable complexities arise when calculating potential risks.

The City's Climate Change and Vulnerability Analysis found that Pacific Grove's development pattern, particularly the City's coastal park and trail system, in conjunction with setting development back from the coast, well-position the City's residential and commercial areas to help withstand effects of sea level rise and tsunami inundation. Additionally, the City's location on granitic bluffs also limits erosion susceptibility. Nevertheless, the City may be susceptible to potential impacts, as all areas along California's coast are subject to some level of inherent hazards risk. The climate change and vulnerability assessment modeling showed potential flooding along the City's coastline, including the City's coastal park system and developed residential areas. Additionally, the modeling utilized in the City's Climate Change and Vulnerability Analysis showed erosion potential, again primarily along the City's north shore, which, in the long run, would affect the City's coastal parks and trails along with areas developed with residential, commercial and institutional uses. Figure 2, Areas of Potential Sea

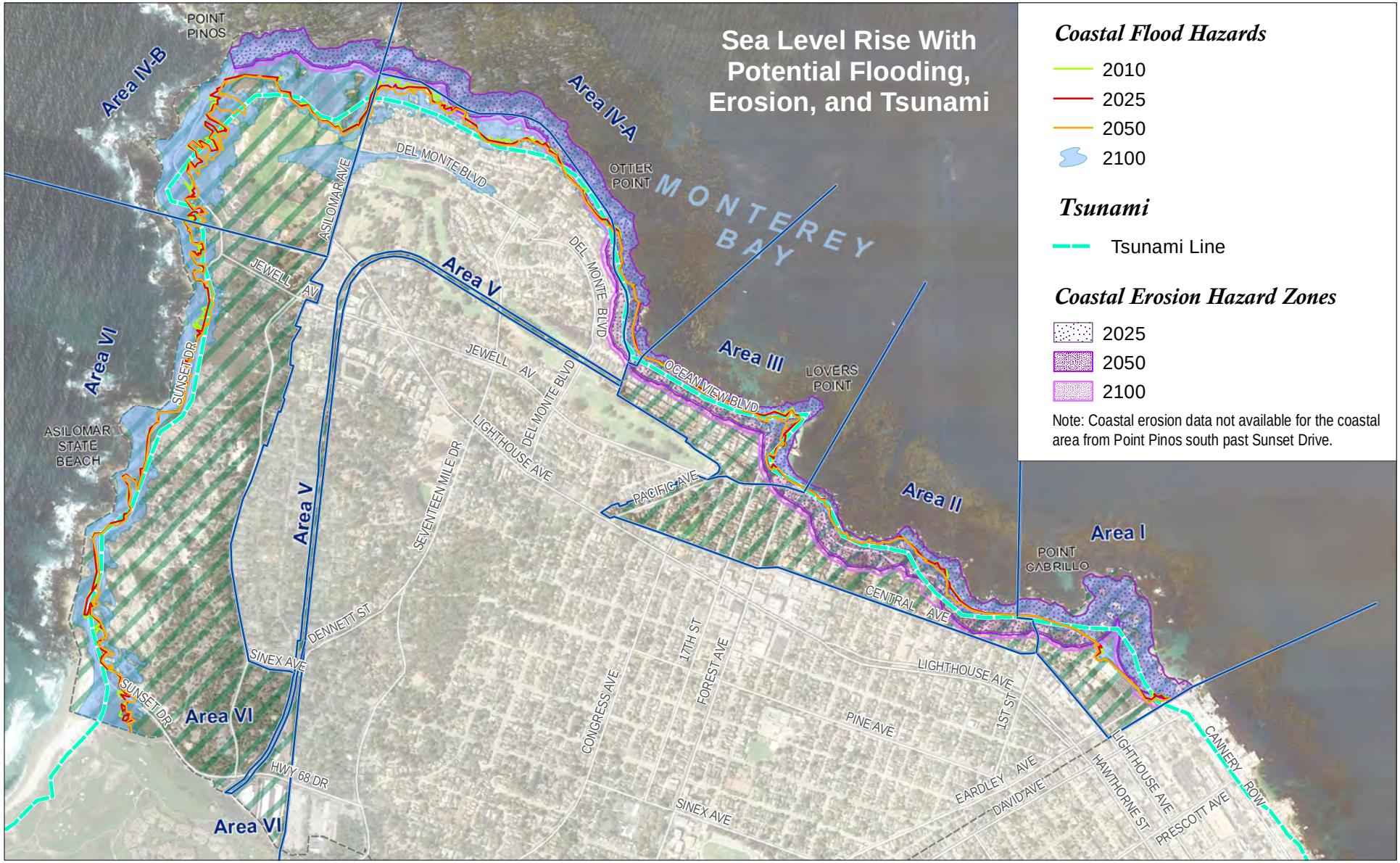
Level Rise Hazard, shows the areas of potential hazards related to projected sea level rise as identified in the Climate Change and Vulnerability Analysis prepared in 2015.

The best available and most recent scientific information with respect to the effects of long-range sea level rise, including the coastal hazards analysis identified in the Background Report and Climate Change and Vulnerability Analysis Report, must be considered in the preparation of findings and recommendations for all geologic, geotechnical, hydrologic, and engineering investigations. Furthermore, the City will continue to consider the findings of future scientific studies that increase and refine the body of knowledge regarding potential sea level rise and coastal hazards in Pacific Grove and along the Monterey Bay, and possible responses to it. Additionally, the City may utilize the variety of academic institutions and non-governmental organizations in the region with expertise in climate change (e.g. UC Santa Cruz, CSU Monterey Bay, Naval Postgraduate School, Middlebury Institute for International Studies at Monterey, Stanford-Hopkins Marine Station, Stanford-Center for Ocean Solutions, the Nature Conservancy, and the Monterey Bay Aquarium) to assist the City with data collection and research regarding the potential impacts of climate change and possible adaptation responses. Also, data from the Monterey Tide Gage (NOAA Station 9413450) which was installed in the 1970's can be utilized to report local sea levels and track sea level rise.

2.1.2 Coastal Act Policies - Natural Hazards and Sea Level Rise

Various parts of the Coastal Act support policies in Local Coastal Program Land Use Plans that address climate change, sea level rise, and coastal hazards. Additionally, the California Coastal Commission Sea Level Rise Policy Guidance provides information for local municipalities updating Local Coastal Programs. The guidance document recognizes that the Coastal Act supports: 1) the use of best available science to guide decisions, 2) minimization of coastal hazards through planning and development standards; 3) maximization of protection of public access, recreation, public views and other coastal resources, and 4) maximization of agency coordination and public participation.

Coastal Act policies relating to shoreline processes and natural hazards require that shoreline protection structures, such as seawalls, only be permitted where they serve coastal-dependent uses or protect existing structures or beaches in danger from erosion. For purposes of this Land Use Plan, the term "existing" refers to legally permitted structures in existence at the time the City of Pacific Grove's LUP component of its LCP first took effect (i.e. structures built prior to June 7, 1989). The Coastal Act also requires that shoreline protection structures be designed to eliminate or mitigate adverse impacts on local shoreline sand supply (Public Resources Code §30235). Further, other coastal policies require that any development, such as shoreline protective devices, among other things, be sited and designed to:



0 1800 feet

Legend

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

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

Figure 2

Areas of Potential Sea Level Rise Hazard

City of Pacific Grove Land Use Plan

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1. Prevent degrading impacts to Environmentally Sensitive Habitat Areas (Public Resources Code §30240);

2. Mitigate adverse impacts to archeological resources (Public Resources Code §30244);

3. Protect ocean views, minimize the alteration of natural land forms, and be visually compatible with and subordinate to the surrounding character of the area (Public Resources Code §30251); and

4. Provide, and not interfere with, maximum public recreational access to and along the shoreline (Public Resources Code §§30210, 30211 and 30212).

Finally, Coastal Act policies require that all new development minimize risks to life and property in hazard areas ((Public Resources Code §30253(a)) and not create, nor contribute to, erosion, instability, destruction of a site, or require protective devices that substantially alter natural bluff and cliff forms ((Public Resources Code §30253(b)).

2.1.3 General Plan and Other Policies - Natural Hazards and Sea Level Rise

The Pacific Grove General Plan commits ocean front lands to open space and recreational uses. The combination of public ownership and existing City policies and ordinances severely limit further structural use of the immediate shoreline area. The effect of the policies and public ownership along the shoreline is to help reduce the risks to life and property from storm/tsunami hazards and bluff erosion. However, certain policy areas, such as the effect of the construction of shoreline protective devices, among others, are not specifically covered by the Pacific Grove General Plan, and require strengthening and further implementation in this Land Use Plan, the Implementation Plan, and the Coastal Parks Plan.

2.1.4 Land Use Plan Policies - Natural Hazards and Sea Level Rise

The Land Use Plan policies on shoreline hazards that follow supplement existing City policies and regulations by providing for:

- New development and redevelopment that is sited and designed to be safe from potential coastal hazards and in a manner that may not require future shoreline protective devices;

- Specific attention to the possible effects of shoreline protective device construction;

- Implementation of City policy calling for detailed park planning along the shoreline in order to maximize public access, find methods to minimize bluff erosion, and reduce other potential impacts on coastal resources; and

- Expanded policies addressing protection from storm wave/tsunami hazards and the impacts associated with sea level rise while protecting coastal resources.

Tsunami Hazard Zone Sign. Photo Credit www.NOAA.gov

HAZ-1. The City shall continue to gather information on the effects of sea level rise and other coastal hazards on Pacific Grove's shoreline, including identifying the most vulnerable areas, structures, facilities, and resources, specifically areas with priority uses such as public access and recreation resources, Environmentally Sensitive Habitat Areas, and existing and planned sites for critical infrastructure. Updates to the LCP, including through any vulnerability assessment, shall use the best available science, including the best available scientific estimates of expected sea level rise and potential resultant impacts.. The information gathered should address multiple time frame horizons (for example, 2025, 2050, and 2100) as appropriate and feasible.

HAZ-2. Based on the information gathered over time per Policy HAZ-1, approximately every ten years or more often, if necessary, the City shall evaluate whether additional policies and other actions for inclusion in the Local Coastal Program are necessary in order to address the impacts of sea level rise and other coastal hazards, particularly those related to erosion. As applicable, evaluations may include such policies and actions as requiring:

a. Relocation of existing or planned development, including development already protected by shoreline protective devices, to safer locations and restoring shoreline areas to natural conditions if feasible, including working with entities that plan or operate infrastructure;

b. Changes to Local Coastal Program land uses, and siting and design standards for new development, to avoid and minimize risks;

c. Changes to standards for wetlands and Environmentally Sensitive Habitat Area;

d. Changes to standards for determining erosion rates;

e. Modifications to the Local Coastal Program to ensure long term protection of the function and connectivity of existing public access and recreation resources; and

f. Modifications to existing shoreline protective devices to ensure that such devices are using the latest technology and are operating in a manner as least impactful on coastal resources as possible, including evaluation of possible removal and shoreline restoration.

HAZ-3. New development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. New development shall also assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site.

HAZ-4. New development shall be sited and designed to avoid impacts from coastal hazards, including but not limited to, erosion, episodic and long-term shoreline retreat, flooding, inundation, storm waves, high seas, tidal scour, and tsunamis, including in relation to sea level rise, over the life of the development. New development shall be prohibited from using or requiring shoreline protective devices (including, but not limited to, seawalls, revetments, breakwaters, groins, bluff retention devices, and piers/caisson foundation systems) at any point during the development's life. As a condition of approval for all development that may be subject to coastal hazards, the Applicant shall record a deed restriction acknowledging that the site may be subject to coastal hazards, acknowledging that shoreline protective devices are prohibited, and waiving any right that may exist to construct such devices. All such development shall also include, as a condition of approval, the requirement to prepare a removal and restoration plan that ensures that, should the development become threatened by coastal hazards, the development at risk shall be removed and the site restored.

HAZ-5. Notwithstanding Policy HAZ-4, and as allowed in Policy HAZ-10, public access facilities, including trails, paths, overlooks, stairways, and/or ramps, may be allowed within shoreline and bluff areas provided they meet all of the following criteria:

1. Such public access facilities shall be sited and designed to be easily relocatable and/or removable without significant damage to shoreline and/or bluff areas.

2. Such public access facilities shall only be allowed when they will not cause, expand, or accelerate instability of a bluff.

HAZ-6. In order to minimize potential damage to life and property from coastal hazards, development and the use of land below the 20-foot elevation from mean high tide shall be limited to open space, low intensity recreational uses, existing utility and support facilities, allowable shoreline armoring and coastal access facilities, and, at Lovers Point, Hopkins Marine Station, and Monterey Bay Aquarium only, coastal dependent and coastal related development. Existing houses below the 20-foot elevation may remain, but may eventually require relocation above the 20-foot elevation. No new residential habitable space may be constructed below the 20-foot elevation.

HAZ-7. Development proposed in or near potential hazard areas, including those that are mapped, shall be evaluated for potential coastal hazards at the site based on all readily available information, to determine whether a necessary hazards report prepared by a qualified geologist/engineer is required. Regardless, development proposed in or near potential hazard areas shall conduct a site specific hazards study when the sea levels are two (2) inches above current (2016) levels based on the Monterey Tide Gage (NOAA Station 9413450).

HAZ-8. An existing structure shall be considered redeveloped, whereby the entire structure is considered to be new development and must be found consistent with all applicable LCP policies, when such development consists of alterations including (1) additions to an existing structure, (2) exterior and/or interior renovations, and/or (3) demolition of an existing home or other principal structure, or portions thereof, which results in:

1. Alteration of 50% or more of major structural components including exterior walls, floor and roof structure, and foundation, or a 50% increase in floor area. Alterations are not additive between individual major structural components; however, changes to individual major structural components are cumulative over time from the date the City of Pacific Grove's LUP component of its LCP first took effect (i.e. June 7, 1989).

2. Demolition, renovation or replacement of less than 50% of a major structural component where the proposed alteration would result in cumulative alterations exceeding 50% or more of a major structural component.

HAZ-9. The City shall maintain a warning system and procedures for protection of life and property in coastal areas that are subject to storm and tsunami hazard, including informing visitors to the shoreline of the potential danger of large waves, and shall coordinate closely with the Monterey County Office of Emergency Services on the implementation and future amendment of the Monterey County Multi-jurisdictional Hazard Mitigation Plan.

HAZ-10. The City should coordinate planning and management of the coastal park lands with adjacent jurisdictions and other public agencies such as the City of Monterey, Monterey County, State Water Resources Control Board, National Oceanic and Atmospheric Association (Monterey Bay Sanctuary), Bureau of Land Management (California Coastal National Monument), the California Department of Parks and Recreation, the California Department of Fish and Wildlife, the United States Coast Guard, and the California State Lands Commission, which has decision-making authority on policies that affect land below the mean high tide line. The City should also coordinate planning and management of the coastal park lands on its downcoast borders with the Pebble Beach Company and other large private landowners, where feasible.

HAZ-11. The City shall continue to utilize the certified Land Use Plan's Coastal Parks Plan as a tool to help implement coastal protections, maximize public access, and protect coastal resources along the City's shoreline. The Coastal Parks Plan shall be amended from time to time, as appropriate, by the City Council.

HAZ-12. As part of the Coastal Parks Plan, the City shall strive to minimize erosion of the shoreline by directing people to use public access pathways and stairways. The City shall coordinate public recreation and access points with the Bureau of Land Management to ensure that increased public use and access is designed to mitigate adverse impacts to the California Coastal National Monument and its geological, biological, cultural, and visual resources.

HAZ-13. Redevelopment and/or expansion of existing shoreline protective devices, where determined to be required in order to protect existing structures, including public access, in critical danger from erosion, shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply and shall only be utilized if no other feasible, less environmentally damaging alternative, including relocation, soft armoring (e.g., temporary sand bags, vegetated berms), beach nourishment, drainage and native landscape improvements, or other similar non-structural options can feasibly address erosion hazards.

HAZ-14. The City shall monitor sea level rise and request changes to the Coastal Zone boundary, as appropriate and feasible. The City shall minimize the need for construction of new shoreline protective devices through continued implementation of the Coastal Parks Plan addressing management and, where necessary, restoration of the coastal park lands, including control of pedestrian use, parking, and ground squirrel and other rodent, vermin, or animal activities.

HAZ-15. Construction of new protective devices along the shoreline shall be limited to protection of existing public recreational facilities (such as parks and public access, trails, and roadways), existing institutional structures (i.e., Hopkins Marine Station and Asilomar Conference Grounds), existing principal structures (such as houses), and existing municipal utility facilities in critical danger from erosion. Such devices shall only be utilized if no other feasible, less environmentally damaging alternative, including relocation, soft armoring (e.g., temporary sand bags), beach nourishment, drainage and native landscape improvements, or other similar non-structural options can feasibly address erosion hazards. Alternative nature-based solutions shall be prioritized wherever possible to protect coastal habitats, public recreational uses, and public access to the coast. New shoreline protective devices shall not be constructed to serve new private coastal development, nor where other measures can adequately mitigate erosion hazards. Construction of shoreline protective devices and repair or maintenance or augmentation of existing protection devices shall be designed to eliminate or mitigate adverse impacts to the California Coastal National Monument and its geological, biological, cultural and visual resources.

HAZ-16. Shoreline protective devices shall only be authorized until the time when the existing structure that is protected by such a device:

1. Is no longer present;
2. No longer requires such armoring; or
3. Is redeveloped (as that terms is defined in HAZ-8).

When the existing structure meets any of these three criteria, the Applicant is required to submit a Coastal Development Permit application to remove the shoreline protective device and restore the site to a natural shoreline condition within six months of the determination that the shoreline protective device is no longer authorized to protect the structure it was designed to protect because the structure is no longer present or no longer requires such armoring. In the case of coastal redevelopment, the removal of the shoreline protective device and associated shoreline restoration may be part of the redevelopment Coastal Development Permit application or a separate Coastal Development Permit application, and such removal and restoration shall be required prior to construction of the redeveloped structure.

HAZ-17. New shoreline protective devices and repair, maintenance, and augmentation of existing shoreline protective devices shall be sited and designed to: eliminate or mitigate adverse impacts on local shoreline sand supply; enhance coastal access; protect coastal views; minimize alteration of, and be visually subordinate to, the natural character of the shoreline; avoid impacts to archeological resources; and protect other coastal resources as much as possible.

HAZ-18. No new major critical infrastructure projects shall be allowed within a potentially hazardous area, including any mapped hazard area. To the maximum extent feasible, existing critical infrastructure shall be relocated outside of hazardous areas.

2.2 WATER AND MARINE RESOURCES (MAR)

2.2.1 Background - Water and Marine Resources

Pacific Grove's water and marine resources include the rocky intertidal and subtidal areas of the coastline interspersed with sandy beaches and coastal bluffs, all of which provide diverse and highly valued coastal habitats. The City's shoreline includes natural habitats such as beaches, tide pools, and rock formations. This rich and diverse marine environment along the Pacific Grove coastline is protected and controlled by a variety of local, state, and federal regulations, including:

- The Asilomar State Marine Reserve, the Pacific Grove Marine Gardens State Marine Conservation Area, and the Lovers Point - Julia Platt State Marine Reserve, which are protected by the California Department of Fish and Wildlife;
- An Area of Special Biological Significance, which is protected by the State Water Resources Control Board and the Central Coast Regional Water Quality Control Board;
- The Monterey Bay National Marine Sanctuary, which is protected by the National Oceanic and Atmospheric Administration); and
- The California Coastal National Monument, which is protected by the Bureau of Land Management.

In addition, the tidelands grant to the City from the State of California (approved by the Governor June 9, 1931) prohibits use of those tidelands for "commercial, industrial or revenue producing uses or purposes" although use of the tidelands for "boat and yacht harbors, boating and yachting, swimming tanks, and other like and kindred purposes" is allowed.

In March 2012, the State Water Resources Control Board adopted a statewide General Exception to permit storm water discharges to the Area of Special Biological Significance, with Special Protections. The Pacific Grove Area of Special Biological Significance is one of 34 state-designated Areas of Special Biological Significance in near shore waters along the California coast. Areas of Special Biological Significance are a subset of state water quality protection areas in the ocean along California's coast that require special protection per the California Marine Managed Areas Improvement Act. Their protection is promulgated by the State Water Resources Control Board through the California Ocean Plan. The Ocean Plan prohibits the discharge of waste to a designated Area of Special Biological Significance. Special Protections

have also been adopted by the State Water Resources Control Board as part of the statewide National Pollutant Discharge Elimination System storm water permit that applies in Pacific Grove. The City is currently working on drafting the compliance plan, which is anticipated for completion in September 2018, and must describe how structural and non-structural controls are being implemented to reduce pollutant loads to the Area of Special Biological Significance.

Additionally, the California Coastal National Monument established in 2000 incudes within its boundaries all the rocks, small islands, exposed reefs, and pinnacles above water at mean high tide off-shore of Pacific Grove. These are under the jurisdiction of the Bureau of Land Management and serves as habitat for a variety of animals and birds including the Black Oystercatcher.

Crespi Pond, a small but valuable wetland, is located on Ocean View Boulevard between Point Pinos and the western end of Asilomar Avenue. Crespi Pond provides a stopping place for migrating bird species including terns, gulls, many species of ducks, and Canada geese; and hundreds of different birds continue to be sighted. It is a site for ornithological studies, and is of interest to the scientific community. Crespi Pond has gone dry during periods of drought. Management will be necessary to retain the open pond characteristic of Crespi Pond. This may include vegetation control, dredging, and water management.

American coot (Fulica americana) at Crespi Pond. Photo credit Nature ID

Majella Slough, a small freshwater wetland, is located south of Sunset Drive within the Asilomar State Beach and Conference Grounds. Majella Slough provides valuable and sensitive riparian habitat that is rare within the City limits. Stormwater runoff from nearby areas collects in the Slough, which then flows into the Pacific Ocean. Pollution control for runoff is a necessary step to help ensure the long term health of this important habitat.

2.2.2 Coastal Act Policies - Water and Marine Resources

Coastal Act policies relating to marine resources require that these resources be maintained, enhanced and, where feasible, restored; that areas of special biological significance be given special protection; and that development be sited and designed in such a way as to protect the biological productivity of coastal waters and to maintain healthy populations of species (Public Resources Code §30230 and 30231). Control over specific types of adverse impacts on coastal waters, such as polluted runoff, wastewater discharges, etc., and spillage of hazardous substances is also required (Public Resources Code §30232 and 30233).

Additional policies require protection against disruption of sensitive habitat areas, both within and adjacent to the habitat (Public Resources Code §30240); and require protection of coastal waters, wetlands, estuaries and lakes from inappropriate diking, filling and dredging, with specified exceptions (Public Resources Code §30233); and require that alterations of rivers and streams be only allowed for specific purposes subject to specific criteria and mitigations (Public Resources Code §30236).

2.2.3 General Plan and Other Policies - Water and Marine Resources

Pacific Grove General Plan regulations and policies pertaining to water and marine resources are supplemented by the regulations establishing, and the policies of, the Monterey Bay National Marine Sanctuary, three State Marine Protected Areas (Asilomar State Marine Reserve, Pacific Grove Marine Gardens State Marine Conservation Area, and Lovers Point-Julia Platt State Marine Reserve), the California Coastal National Monument, and the Area of Special Biological Significance.

The Land Use Plan policies on water and marine resources that follow supplement existing City policies and regulations by providing for:

- Coordinated state/federal/local enforcement of existing regulations and enhanced management of the Marine Gardens;
- Control over runoff and erosion affecting offshore waters; and
- Cooperation in long-term ecological and water quality monitoring studies.

2.2.4 Land Use Plan Policies - Water and Marine Resources

Refer also to the Storm Drainage policies in §3.4.8.

MAR-1. The City shall continue to work with the California Department of Fish and Wildlife, the National Oceanic and Atmospheric Administration, and the Bureau of Land Management in developing and maintaining a coordinated approach for

enforcing federal, state, and local regulations protecting the marine reserves and conservation area, the Sanctuary, California Coastal National Monument, and Areas of Special Biological Significance.

MAR-2. The City shall assist, where feasible, the appropriate institutions or agencies to undertake long-term ecological studies monitoring the marine resources and water quality of the marine reserves and conservation area, Sanctuary, and Areas of Special Biological Significance.

MAR-3. Crespi Pond and the Majella Slough riparian area shall be considered as Environmentally Sensitive Habitat Areas, and governed by Coastal Act policies 30233, 30236, and 30240. No alteration of freshwater wetlands (including Crespi Pond and Majella Slough) shall be allowed, except for maintenance dredging and similar activities essential for restoration and/or enhancement of natural habitats, as well as other uses and development specified in the Biological Resources and Environmentally Sensitive Habitat Areas chapter of this Land Use Plan, and only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects

MAR-4. No diking, filling, dredging, or other uses inconsistent with the terms of the grant of tidal protection from the State of California or Coastal Act Policy 30233 shall be allowed in the City's tidelands.

MAR-5. The City shall continue to investigate and implement new measures to reduce potential pollutants in storm water and irrigation runoff. Specific measures to help reduce potential pollutants from development shall, to the maximum extent feasible, include controlling the disposal of chemicals and hazardous materials, maintaining existing storm water capture programs, applying low impact development designs and requiring on-site retention and/or reuse of runoff.

MAR-6. To reduce the potential for degradation of the Pacific Grove Marine Gardens State Marine Conservation Area and Area of Special Biological Significance, the City shall require, drainage plans and erosion, sediment and pollution control measures, as conditions of approval of every application for new development that has the potential to impair water quality.

MAR-7. The City shall require, for all new development that has the potential for water quality impairment, construction phase storm water pollutant controls, including erosion controls, sediment traps and filtering of off-site storm water flows, capture of site-generated pollutant sources, street sweeping of dirt tracked off-site, litter control, post-construction monitoring, and other best management practices. Construction-

phase water quality impacts shall be avoided by minimizing the disturbed area, phasing grading activities, implementing soil stabilization and pollution prevention measures, and preventing unnecessary soil compaction.

MAR-8. The City should work with the Pacific Grove Natural History Museum, California Department of Fish and Wildlife, Central Coast Regional Water Quality Control Board, National Oceanic and Atmospheric Administration, and Bureau of Land Management to maintain information and interpretation programs to increase public awareness of the valuable marine resources and habitat in the marine reserves and conservation areas, the Sanctuary, National Monument, and Area of Special Biological Significance.

MAR-9. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species special biological significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

MAR-10. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protection riparian habitats, and minimizing alteration of natural streams.

MAR-11. New development shall minimize new impervious surfaces, especially impervious areas directly connected to water and marine resources, and, where feasible, increase the area of pervious surfaces in re-development to reduce runoff.

MAR-12. Plan, site, and design development in a manner that minimizes the transport of pollutants in runoff generated from the development into coastal waters.

MAR-13. Plan, site, and design development in a manner that maintains or enhances on-site infiltration of runoff, where appropriate and feasible, to reduce runoff and recharge groundwater.

MAR-14. New development shall ensure that all runoff is appropriately collected, filtered, and treated (as necessary) to minimize pollutant loading to the maximum degree feasible.

MAR-15. Developments of Water Quality Concern, including gas stations/carwashes, and industrial development are those that have a greater potential for adverse impacts to water quality and hydrology due to the extent of impervious surface area, type of land use, and/or proximity to coastal waters, and require additional and context specific "best management practices" (BMPs) to protect and enhance water quality.

Tide pools at Point Pinos in Pacific Grove. Photo credit: NBNMS website.

2.3 SCENIC RESOURCES (SCE)

2.3.1 Background - Scenic Resources

Pacific Grove's extraordinary coastal setting is among the most accessible and spectacular in the world. Its scenic resources in the Coastal Zone include nearly continuous unobstructed views of the sea, harbor seals can be seen on its beaches, whales in the Bay, and sea otters frolicking in kelp beds. Year-round there are views of people enjoying the recreation trail and the sandy beaches at Lovers Point. The dunes in the Asilomar Dunes area provide another dramatic visual resource within Pacific Grove's coastal area.

The City's scenic resources are publicly visible from not only areas in the City's Coastal Zone but also from areas on Monterey Bay, across the bay, and from some locations along Highway 1. Few structures exist seaward of Ocean View Boulevard or Sunset Drive, and most of the shoreline is in public ownership with public access provided in many areas by a heavily-used recreation trail along a major portion of the coastline. Pacific Grove's scenic coastline is a significant draw for tourists. Figure 3, Scenic Areas, shows the areas designated by the City as having special scenic significance.

West of Asilomar Avenue is a predominantly open space viewscape, with a municipal golf course at Lighthouse Reservation and the Asilomar Dunes area providing a respite from more developed areas to the east. The few structures that are situated some distance from Ocean View Boulevard are visually subordinate to the Point Pinos Lighthouse. The inland side of Ocean View Boulevard, east of Asilomar Avenue, has assumed a residential character.

South of Lighthouse Reservation the Asilomar Dunes neighborhood is a scenic area of public importance that has been developed with single-family residential dwellings interspersed amongst open dunes. However, not all the Asilomar Dunes area lots have been developed and the remaining undeveloped lands, including those required to be left undeveloped through prior Coastal Development Permit actions, help serve to soften the contrast between existing development and the dunes, including the expansive open space located seaward of Sunset Drive. The Asilomar Dune's unique visual and biological characteristics are an important resource to the community and make the area a popular destination for visitors. As such, the Asilomar Dunes is considered a "special community" within the context of Resources Code §30253(e). Policies are included in this Land Use Plan to ensure the area is protected consistent with provisions of the Coastal Act.

Unobstructed public bay/ocean views are available from Coastal Zone roads inland of Ocean View Boulevard and Sunset Drive. Retention and protection of these public views to the maximum extent possible is of major importance, including because of the visual access to coastal waters they provide.

In Pacific Grove, natural features such as trees, beaches, and the rocky shore, as well as a prominent recreation trail contribute to the scenic views and the character of its Coastal Zone.

Pacific Grove Coast. Photo credit Doug Brown.

2.3.2 Coastal Act Policies - Scenic Resources

The Coastal Act addresses visual access and protects the visual qualities of coastal areas as a resource of public importance.

As stated in Public Resources Code §30251, "Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

2.3.3 General Plan and Other Policies - Scenic Resources

The Pacific Grove General Plan designates most shorefront lands for open space. Natural Resources Element Goal 3 is to preserve public visual access to the ocean. Urban Design and Structure Element Goal 2 calls for the enhancement of the relationship between the City and the Pacific Ocean and Monterey Bay. However, to a great extent, the Pacific Grove General Plan relies on more detailed policy in the Local Coastal Program to protect and preserve coastal open space lands and public viewsheds, including from encroaching urban development that might harm natural resources or diminish coastal views.

Figure 3, Scenic Areas, shows the areas designated by the City as having special scenic significance; however, it is also the policy of the City to consider and protect the visual quality of all scenic areas that are part of the public viewshed, whether designated or not, as a resource of public importance. The portion of Pacific Grove's Coastal Zone designated scenic includes: all public view areas along Pacific Grove's shoreline; all areas seaward of Ocean View Boulevard and Sunset Drive as shown on Figure 3, Scenic Areas; Lighthouse Reservation lands; Asilomar Conference Ground dune lands visible from Sunset Drive; lands fronting on the east side of Sunset Drive; the Asilomar Dunes residential area, and the forest-front zone between Asilomar Boulevard and the crest of the high dune (from the north side of Pico Avenue intersection to Sinex Avenue).

The Land Use Plan policies on scenic resources that follow supplement existing City policies and regulations by providing for:

- Designation of "scenic areas;"
- Preservation and enhancement of public views to and along the ocean and scenic coastal areas;

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Legend

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

Source: City of Pacific Grove, Google Earth 2013

Figure 3

Scenic Areas

City of Pacific Grove Land Use Plan

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- Preservation and enhancement of the public coastal views from inland locations;
- Minimization of alteration of natural land forms, ensuring visual compatibility with the open space character of surrounding areas and, where feasible, restoring and enhancing visual quality in visually degraded areas; and
- It is understood that these policies preserve public coastal views and do not place restrictions on private views.

2.3.4 Land Use Plan Policies - Scenic Resources

Land Use Plan policies for protection of Scenic Resources are prefaced by (SCE). Additional policies for protecting Scenic Resources are included as Community Design policies in §3.1.3.

SCE-1. Public views to and along the ocean and scenic coastal areas shall be protected and enhanced, alteration of natural landforms shall be minimized.

SCE-2. Preserving and enhancing the scenic qualities of the Coastal Zone shall be a priority in all City actions and decisions. Development that could adversely impact public views shall only be allowed where it protects, preserves, and, if feasible, enhances such scenic and visual qualities.

SCE-3. The portion of Pacific Grove's Coastal Zone designated as having special scenic significance includes: all public view areas along Pacific Grove's shoreline; areas seaward of Ocean View Boulevard and Sunset Drive as shown on Figure 3, Scenic Areas; Lighthouse Reservation lands; Asilomar Conference Ground dune lands visible from Sunset Drive; the Asilomar Dunes residential area; lands fronting the east side of Sunset Drive, as shown on Figure 3, Scenic Areas; and the forest-front zone between Asilomar Avenue and the crest of the high dune (from the north side of Pico Avenue intersection to Sinex Avenue); and other areas in which future study may support special scenic significance designation. The City shall consider and protect the visual quality of these special scenic areas as a resource of public importance.

SCE-4. The City shall designate scenic areas of the Coastal Zone, including those areas described in Policy SCE-3, as areas having special scenic significance, with a Scenic Resources zoning overlay district that includes additional development standards to protect these scenic areas (refer to Figure 3, Scenic Areas). Development standards for such special scenic significane areas shall include, but not be limited to, special siting and design criteria (including avoiding accessory development (such as fences) in open space views, clustering to maximize open space views, height and story

limitations, bulk and scale limitations, screening and landscaping requirements, natural materials and color requirements, minimizing lighting that spills into nighttime public views, avoiding glares (e.g., from windows and reflective surfaces), etc.; requirements to prepare landscaping plans utilizing drought tolerant and native plants that protect and enhance scenic resources; minimizing land coverage, grading, and structure height; and maximizing setbacks from adjacent open space areas.

Development within visually prominent settings, including those identified on Figure 3, and on all parcels that abut Ocean View Boulevard and Sunset Drive, shall be sited and designed to avoid blocking or having a significant adverse impact on significant public views, including by situating buildings, access roads, and related development in a manner and configuration that maximizes viewshed protection, and through such measures as clustering development to maximize open space views, height and story limitations, and bulk and scale limitations.

SCE-6. All utilities shall be located underground or outside of public view.

SCE-7. Design and siting of structures should not detract from public scenic values. Structures, including fences, shall be subordinate to and blended into the environment, including by using appropriate materials that will achieve that effect. Where necessary, modifications shall be required for siting, structural design, shape, lighting, color, texture, building materials, access, and screening to protect such public views.

SCE-8. The City shall encourage redevelopment, rehabilitation, or relocation of existing structures to improve visual appearance and to attract visitors to the City's coastline.

SCE-9. Trees that are a visually integral part of the coastline and contribute to the scenic views in the Coastal Zone shall be protected or, when necessary to remove, including due to disease or danger to existing structures, replanted to ensure their continued scenic utility.

SCE-10. The scenic native forest within Asilomar Conference Grounds, along Asilomar Avenue, and within the Union Pacific Railroad right-of-way, shall be retained, to the maximum feasible degree, consistent with the uses allowed by the Land Use Plan. Development shall mitigate for any impacts to the native forest, including through required ere reforestation plan to propagate and plant seedlings of pine using local seeds to regenerate the pine forest in coordination with Asilomar State Park. In considering potential development projects, siting and design shall be required to minimize to the extent feasible the removal of trees and understory vegetation and damage to soil resources. Siting, design, and land use concepts that minimize

removal and damage should be applied and are preferred. Retained trees that are located close to construction areas shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

SCE-11. Permanent open space may be achieved through dedication of scenic conservation easements by property owners or by acquisition of fee title or development rights by the City, another governmental entity, or by a private foundation. The City encourages assistance from the state or suitable foundation in the acquisition of these important areas.

2.4 BIOLOGICAL RESOURCES AND ENVIRONMENTALLY SENSITIVE HABITAT AREAS (BIO)

2.4.1 Background - Biological Resources and Environmentally Sensitive Habitat Areas

Environmentally Sensitive Habitat and Biological Sensitivity

Coastal Act §30107.5 defines Environmentally Sensitive Habitat Area as "…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." For coastal land biological resources, Environmentally Sensitive Habitat Area can include several types of sensitive habitats, such as:

- Coastal bluff which provides habitat for such species as Menzies' wallflower (*Erysimum menziesii* and sub-species);
- Coastal sand dunes sand dune areas such as the Asilomar Dunes, are themselves a scarce and rare resource and also provide habitat for such species as black legless lizard (*Aniella pulchra nigra*), Menzies' wallflower, Monterey spineflower (Chorizanthe pungens), and Tidestrom's lupine (*Lupinus tidestromii*);
- Native Monterey pine forest which includes large stands of trees (often in association with sand dunes and understory species) that extend into Pacific Grove from the Del Monte Forest represent one of only four places on earth where such native Monterey pine forest exists, and also provide habitat for such species as Monarch butterfly (*Danaus plexippus*);

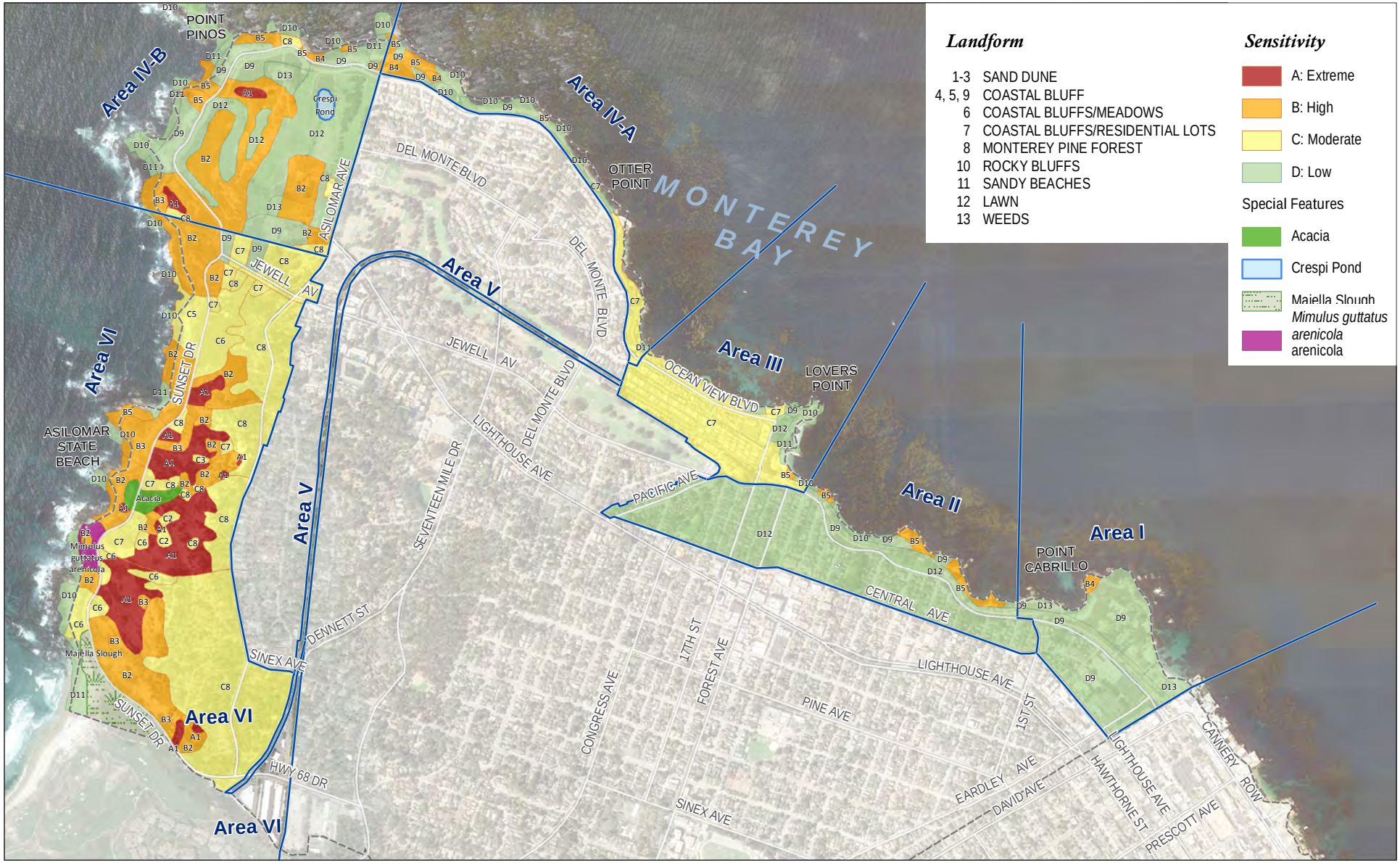
- Wetland/waterway which are features as defined by Coastal Act §30121, include Majellah Slough, which provides valuable riparian habitat within the Asilomar State Beach and Conference Grounds, and Crespi Pond, which supports a significant patch of dense freshwater marsh vegetation dominated by bulrushes and is part of the City-designated Lighthouse Reservation, identified as an area of Scientific and Ecological Significance; and

- Tide pools which provide habitat for numerous plants, invertebrates, and fish.

Other types of Environmentally Sensitive Habitat Areas, that are not known now, could also be determined within the Coastal Zone based upon new information, such as if species that are newly protected by the United States Fish and Wildlife Service or California Department of Fish and Wildlife are dependent upon habitat types found within the Coastal Zone. Environmentally Sensitive Habitat Areas are most likely to be found within the extreme, high, and moderate sensitivity areas identified in Figure 4, Land Habitat Sensitivity Map, which shows the areas of special biological significance. However, Environmentally Sensitive Habitat Areas may be found anywhere in the City, and it is incumbent upon the development review process to provide appropriate means of identifying and protecting such resources, whether known or currently mapped or not. A biological resources study is necessary to verify if habitat in a particular location qualifies as Environmentally Sensitive Habitat Area.

Monarch butterfly clustering in Pacific Grove. Photo Credit Pacific Grove Museum of Natural History.

The shoreline pine forest/sand dune association and the pine/eucalyptus forest provide overwintering habitat of the Monarch butterfly. The principal Monarch butterfly clustering sites in Pacific Grove are located very near, but not within, the Coastal Zone, in the vicinity of the Butterfly Grove Inn and in George Washington Park. However, the butterfly populations use areas within the Coastal Zone for feeding and transit to the groves, and these areas may be capable of providing overwintering habitat in the future.



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Legend

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

Source: City of Pacific Grove, Google Earth 2013

Figure 4

Land Habitat Sensitivity Map

City of Pacific Grove Land Use Plan

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The land habitat of greatest sensitivity is the sand dune complex from the Lighthouse Reservation to Asilomar Conference Grounds. Not only are native dune plants fragile and dune formations easily destabilized, but the dunes are also habitat for three threatened and endangered plant species - Menzies' wallflower, Monterey spineflower, and Tidestrom's lupine. Additionally, the native dune vegetation in the Asilomar Dunes includes other dune species that play a special role in the ecosystem; for example, the bush lupine, which provides shelter for the rare black legless lizard, and the coast buckwheat, which hosts the endangered Smith's blue butterfly. Human disturbance and competition from exotic vegetation continue to threaten the survival of these rare plants. Remaining plants are found in limited areas on private land in the Asilomar area and on public property in the northern portion of the Asilomar State Beach and Conference Grounds.

Asilomar Dunes Residential Area

The Asilomar Dunes residential area, bounded by Lighthouse Avenue, Asilomar Avenue, and Asilomar State Beach and Conference Grounds, is the location of sand dunes that support rare and endangered biological resources. Therefore, the entire area is designated as an Environmentally Sensitive Habitat Area and a Sensitive Coastal Resource Area for purposes of appeal per Public Resources Code §30603. The area, which was annexed by the City in 1980, was previously subdivided into residential parcels. Approximately one dozen existing parcels are undeveloped.

Issues affecting land use planning in this area therefore relate to protection of both the existing scenic qualities of the area and the sand dune habitat of the rare and endangered species. The retention of these resources will be affected by the siting, design, and land coverage allowed for new homes and related facilities, redevelopment of existing homes, and also by the total amount of residential development that is allowed.

Environmentally Sensitive Habitat Areas are located in other areas of the City's Coastal Zone as well. These include, but are not limited to, riparian and sand dune habitats within Asilomar State Beach and Conference Grounds; the Crespi Pond wetland, dune habitats within the Lighthouse Reservation; and any areas which may be determined as important habitat for Monarch or Smith's blue butterflies.

The Asilomar Dune's unique biological characteristics are an important resource to the community and make the area a popular destination for visitors. As such, the Asilomar Dunes is considered a "special community" within the context of Resources Code §30253(e). Policies are included in this Land Use Plan to ensure the area is protected consistent with provisions of the Coastal Act.

Characteristic Flora and Fauna

The City has several flora and fauna that play a significant part in the visual and cultural identity of the City. Characteristic flora include rosy ice plant (*Drosanthemum floribundum*), and several trees: Monterey pine (*Pinus radiata*), and Monterey cypress (*Cupressus macrocarpa*) and Coast Live Oak (*Quercus agrifolia*). Characteristic fauna include monarch butterflies, harbor seals (Phoca vitulina richardii), and oystercatchers (Haematopus bachmani). Refer to §2.2 of this Land Use Plan for discussion and policies regarding marine resources.

The Pacific Grove General Plan recognizes the trees of Pacific Grove as "major natural resources." Accordingly, the Local Coastal Program recognizes that certain trees are "major vegetation," the removal of which constitutes development that requires a Coastal Development Permit. Ordinances regulating tree removal from public and private property are in place. A Coastal Development Permit is required for removal of all defined native trees in Title 12 including all Gowen Cypress regardless of size; Coast Live Oak, Monterey Cypress, Shore Pine, Torrey Pine, Monterey Pine six (6) inches or greater in trunk diameter measured 54 inches above grade.

2.4.2 Coastal Act Policies - Biological Resources and Environmentally Sensitive Habitat Areas

The Coastal Act requires protection of Environmentally Sensitive Habitat Areas. These areas must be protected against "any significant disruption," including impacts from development in adjacent areas. Only resource-dependent uses are allowed in Environmentally Sensitive Habitat Areas, and uses adjacent to Environmentally Sensitive Habitat Areas must be compatible with continuance of the habitat areas (Public Resources Code §30240). The Coastal Act defines Environmentally Sensitive Habitat Areas as "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 Resources Code §30107.5).

2.4.3 General Plan and Other Policies - Biological Resources and Environmentally Sensitive Habitat Areas

The Natural Resources Element states as a principal objective the preservation of open space areas for the preservation of natural resources. Natural Resources Element Policy 12 recommends the City develop methods to maintain endangered species within the Asilomar Dunes neighborhood, Asilomar State Beach and Conference Grounds, the lighthouse, the Pacific Grove shoreline, and other appropriate areas. The Lighthouse Reservation, Golf Course, and adjacent shoreline areas are owned by the City. The remainder of the immediate shoreline

area, with two exceptions of privately owned areas, is park land owned and managed by the California Department of Parks and Recreation.

The Asilomar State Beach and Conference Grounds is covered by the *Asilomar State Beach and Conference Grounds General Plan* (Asilomar General Plan), approved by the California State Park and Recreation Commission in 2004 under Resolution 19-2004. The Asilomar General Plan contains a detailed evaluation of biotic resources, including: vegetation community types, special status plant species, wildlife species by vegetation community types, special status animal species, and wildlife management issues. The Asilomar General Plan includes goals and guidelines to manage these resources.

Wooden boardwalk through natural dune habitat in Asilomar Dunes, Pacific Grove. Photo Credit wikepedia.org.

Asilomar Dunes Residential Area

The Asilomar Dunes complex is an Environmentally Sensitive Habitat Area extending several miles along the northwestern edge of the Monterey Peninsula. The Asilomar Dunes complex extends from Point Pinos at the Lighthouse Reservation in Pacific Grove through Spanish Bay and to Fan Shell Beach in the downcoast Del Monte Forest area. Within Pacific Grove, this dunes complex extends through two protected areas, the Lighthouse Reservation area and Asilomar Dunes State Park, that sandwich a dune-residential community. Although this dune-residential area is often described as Asilomar Dunes more broadly, it is actually only a part of the larger Asilomar Dunes complex.

The Asilomar Dunes extend inland from the shoreline dunes and bluffs through a series of dune ridges and inter-dune swales to the edge of more urban development in some cases and the edge of the native Monterey pine forest in others. The unusually pure, white quartz sand in this area was formerly stabilized by a unique indigenous dune flora. However, only a few acres of the original habitat area, which spans almost five miles of shoreline and includes the Asilomar residential neighborhood in Pacific Grove, remain in a natural state. The balance of the original

habitat has been lost or severely damaged by sand mining, residential development, golf course development, trampling by pedestrians, and the encroachment of non-indigenous introduced vegetation. While a number of preservation and restoration efforts have been undertaken (most notably at the Spanish Bay Resort, Asilomar State Beach, and in connection with previously approved residential developments on private lots) much of the Asilomar Dunes complex remains in a degraded state. Even so, it remains a valuable habitat area, including because it supports certain plants and animals characteristic of this environmentally sensitive habitat that are themselves rare and/or endangered.

The Asilomar Dune complex includes up to ten plant species and one animal species of special concern that have evolved and adapted to the desiccating, salt-laden winds and nutrient poor soils of the Asilomar Dunes area. The best known of these native dune plants are the Menzie's wallflower, Monterey spineflower and the Tidestrom's lupine, all of which have been reduced to very low population levels through habitat loss and are Federally-listed endangered species. Additionally, the native dune vegetation in the Asilomar Dunes also includes other dune species that play a special role in the ecosystem; for example, the bush lupine, which provides shelter for the rare black legless lizard, and the coast buckwheat, which hosts the endangered Smith's blue butterfly. Native Monterey pine trees that comprise the forest-front, an area where the central dune scrub plant community intersects the native Monterey pine forest community, serve to minimize environmental stresses to the interior trees of the forest, reduce tree failures that result when trees are more directly exposed to wind, and are considered critical in maintaining the stability of the landward extent of the sand dunes.

Because of these unique biological and geological characteristics of the Asilomar Dunes, the Coastal Commission has a long history of identifying all properties in the Asilomar Dunes area with these dune system features, both in the City of Pacific Grove and Monterey County, as being located within Environmentally Sensitive Habitat Areas. At the same time, the Coastal Commission has historically permitted allowed residential development in the Asilomar Dunes area subject to exacting siting and design restrictions, and subject to on and off-site dune restoration and enhancement requirements. Per the City's General Plan, the City controls the siting of all improvements on the property and controls maximum lot coverage. In addition, the City can impose mandatory conditions pertaining to resource protection. Easements have been requested by the City, in some instances, to help protect dune and plant habitat.

Development of a single residence on each existing vacant parcels of record could result in approximately a dozen additional units, or new homes in the Asilomar Dunes if these parcels are all legal and are not otherwise put to open space uses (e.g., if acquired by State Parks). There are about 70 existing single-family residences in the area now.

As part of the Coastal Development Permit process prior to Local Coastal Program certification, the Coastal Commission has typically conditioned permits in the Asilomar Dunes area to require protection of rare and endangered plant habitat. These requirements have included:

- Review of the site by a qualified landscape or botanical consultant to determine the existence and location of rare and endangered plants;
- Survey of the site prior to and during construction to determine the existence of black legless lizards and provide for the safe relocation of any lizards found on site;
- Preparation of grading and landscape plans to minimize adverse impacts of development and construction activities on dunes and endangered plant species, including transplanting and propagation where necessary;
- Limitation of site coverage for new development, and resiting or redesigning of the project to minimize impacts on botanic resources;
- Special siting and design criteria, including avoiding accessory development antithetical to the open space dune environment (such as obtrusive fencing), clustering to maximize continuous dune areas, height and story limitations, bulk and scale limitations, screening and landscaping requirements, natural materials and color requirements, minimizing lighting that spills into nighttime public views, avoiding glares (e.g., from windows and reflective surfaces), etc.;
- Dune restoration and enhancement on and off site; and
- Requirements for a deed restriction to protect the non-developed portions of a site from disturbance and allow entry for restoration purposes.

The policies that follow support limited residential development in Asilomar Dunes, and build upon the long coastal development permitting history and protocols established by the Coastal Commission for this special area. These policies are designed to recognize the special nature of a residential area in the dunes, allowing such residential development at the same time as appropriately limiting it to help offset the impacts of residential development in the dunes by ensuring that it is subordinate to and protective of the dune setting, and controlling overall development to a level consistent with Coastal Act requirements concerning protection of scenic resources and Environmentally Sensitive Habitat Areas.

The Land Use Plan policies on biological resources and Environmentally Sensitive Habitat Areas that follow supplement existing City policies and regulations by providing for:

- Management of City and state shoreline areas to reduce impacts on and restore native plant habitat;

- Protection and enhancement of Environmentally Sensitive Habitat Areas, and in particular the important Asilomar Dunes complex, and
- Minimization of the disturbance of habitats for rare and endangered species by new development on private and public land.

2.4.4 Land Use Plan Policies - Biological Resources and Environmentally Sensitive Habitat Areas

Flora and Fauna

BIO-1. Environmentally Sensitive Habitat Areas, or "ESHAs," are defined as 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. In Pacific Grove these areas include, but are not limited to, dune, wetland, stream and rookery areas.

BIO-2. Development in Environmentally Sensitive Habitat Areas, as defined in Coastal Act §30107.5, **s**hall be limited to uses dependent on the resource and shall be sited and designed to protect against significant disruption of habitat values including to rare and endangered species. Other stabilizing native dune plants shall also be protected, relocated, or replanted with similar native plants.

The City shall designate other areas of high biological sensitivity and establish appropriate protections for those areas.

Notwithstanding, one house may be constructed on legal lots 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 sensitive habitat.

BIO-3. Preserve and maintain wetlands in the Coastal Zone as productive wildlife habitats and protect wetlands against significant disruption of habitat values. Per MAR-3, the only allowed uses within wetlands shall be those specified in Coastal Act §30233. Development shall be set back from wetlands a minimum of 100 feet. A wider buffer may be required based on the results of a site assessment that evidences that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post- construction impacts. The only development and uses allowed within the buffer are those that are allowed within the wetland except for existing development which can be replaced as long as it does not create new impacts nor increase impacts to wetlands.

BIO-4. Development in Environmentally Sensitive Habitat Area shall be limited to resource dependent uses, except as otherwise specifically allowed, and shall be required to prepare a botanical survey by a qualified expert at the owner's expense, prior to consideration of a project within the City.

Notwithstanding, one house may be constructed on legal lots 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 sensitive habitat.

BIO-5. Development within coastal parklands shall be consistent with the standards and procedures identified in the Coastal Parks Plan, as long as those standards and procedures are consistent with the policies in this Land Use Plan.

BIO-6. Preserve and maintain coastal streams, and, per MAR-3, limit development within streams to those specifically allowed per Coastal Act §30236. Development shall be set back from streams through buffers of a sufficient width to protect streams from the impacts of adjacent uses, including impacts from construction and post-construction activities, and such buffers shall be maintained in a natural condition. The only development and uses allowed within the buffer are those that are allowed within the stream, and those that help to protect stream resources (e.g., plantings for screening, buffering and habitat continuity/enhancement). The buffer shall be the wider of the following on both sides of the stream: (a) the area extending 50 feet from the outer edge of the riparian vegetation (measured perpendicularly from the direction of the stream itself), or (b) the area extending 100 feet from the top of the stream bank (measured perpendicularly from the direction of the stream itself), or (c) wider setback distances as recommended by a site-specific biological site assessment.

BIO-7. In the Asilomar Dunes, native dunes and dune flora and fauna shall be protected, and where feasible reestablished including in particular rare and endangered species, to the maximum extent feasible. Information on plant propagation and dune, dune flora and dune fauna care shall be provided to property owners of property located within dune resources (e.g., in the Asilomar Dunes). Non-native species shall be prohibited, shall be required to be removed, and shall not be allowed to persist in Environmentally Sensitive Habitat Areas, including in the Asilomar Dunes complex.

BIO-8. The City will continue to implement the Coastal Parks Plan for the management and restoration of coastal parklands, including the Lighthouse Reservation.

BIO-9. The City shall preserve its character-defining flora and fauna, such as rosy ice plant, Monterey pine, Monterey cypress, Coast Live Oak, Monarch butterfly, harbor seal, and Black Oystercatcher.

BIO-10. The City shall protect habitats for the overwintering Monarch butterfly population in Pacific Grove and encourage the planting and preservation of vegetation useful to all life stages of the Monarch butterfly, including the planting and preservation of native milkweed species (i.e., Asclepias spp.) for Monarch caterpillars, and for feeding or clustering of adult Monarchs,, and will ensure that any new development within the Coastal Zone in proximity to trees or vegetation used by butterflies throughout their life cycle will not adversely affect the butterflies or their habitat.

BIO-11. The City shall work with Pacific Grove residents, members of the Pacific Grove Museum of Natural History, the California Native Plant Society, and the California Department of Parks and Recreation in efforts to:

a. Protect, maintain, and enhance the habitat areas of Menzies' wallflower and Tidestrom's lupine;

b. Propagate rare and endangered plants such as Menzies' wallflower, Monterey spineflower, and Tidestrom's lupine and any others that may become endangered or rare, for use in dune restoration/enhancement projects;

c. Identify and educate the public about rare and endangered plants; and

d. Develop methods of maintaining these and other native dune plants within Asilomar Dunes, Asilomar State Beach and Conference Grounds, and other appropriate areas.

BIO-12. The City shall protect, where feasible, the black legless lizard and its habitat.

BIO-13. The City shall implement seal pupping protection measures, including installation of permanent split-rail fencing, installation of temporary "no climb" wood lattice fencing, and educational signage to prevent harm and/or harassment of harbor seals during the spring pupping season (generally February through May), at various locations along the Pacific Grove shoreline east of Berwick Park and immediately adjacent to the Pacific Grove Recreation Trail. In addition, the City will use National Oceanic and Atmospheric Administration trained volunteer docents to educate and engage the public on the activities of the seals, and to monitor and document all activities in the vicinity of the program, including any unauthorized human interruptions.

BIO-14. The City shall continue to encourage the Hopkins Marine Station to remove exotic plants and to restore a native bluff plant community and reduce erosion on the rocky outcrop. Any new development and/or redevelopment shall include a landscape plan that effectively utilizes native vegetation to reduce erosion.

BIO-15. The City shall encourage native, drought resistant vegetation and species compatible with the scale and character of current vegetation.

BIO-16. The City shall develop a joint Black Oystercatcher management plan with State Parks, and Black Oystercatcher research organizations and agencies including an education program (interpretative signage) for public understanding of the sensitive nature of the Black Oystercatcher habitat and the importance of not disturbing nesting Black Oystercatchers. During the nesting season (March through August), entire areas may need to be closed to promote Black Oystercatcher fledgling success. Impacts to public access shall be the minimized during such closures.

BIO-17. As feasible, the City shall maintain unfenced contiguous areas in the Asilomar Dunes to allow for wildlife movement, native seed dispersal and visual consistency.

BIO-18. Careful management practices shall be in place to responsibly relocate mountain lions that occasionally prey on deer, and bears who may venture into the community to forage in garbage cans. The University of California at Santa Cruz's Puma Project can assist with mountain lion relocation, along with the California Department of Fish and Wildlife.

BIO-19. The City shall maintain and enhance the Monterey pine and cypress stands and canopy within the Coastal Zone to the maximum extent feasible, taking care that new plantings do not adversely affect public views. This program should continue to be updated periodically with a complete inventory of the trees within the Coastal Zone to determine the age of the trees, disease, if any, and the needs for continued reforestation in the City. The City's 2015 Tree Inventory shall be included as a guiding resource.

BIO-20. New tree planting shall be an on-going effort in order to replace diseased and dead Monterey pine, Monterey cypress and coast live oak trees, taking care that new plantings do not adversely affect public views. Replanting of a tree as replacement of an existing tree is required. Dead trees (snags) on City property should be retained, where possible, to provide habitat, including for cavity-nesting birds.

BIO-21. Applications for development within or adjacent to Environmentally Sensitive Habitat Areas shall be accompanied by a habitat assessment prepared by a qualified biological expert at the owner's expense. The habitat assessment shall, at a minimum, identify and confirm the extent of the Environmentally Sensitive Habitat Area, document any site constraints and the presence of sensitive species, recommend buffers and development setbacks and standards to protect the Environmentally Sensitive Habitat Area, recommend mitigation measures to address

any allowable impacts, and include any other information and analyses necessary to understand potential Environmentally Sensitive Habitat Area impacts as well as measures necessary to protect the Environmentally Sensitive Habitat Area resource as required by the Local Coastal Program.

Asilomar Dunes Residential Area

BIO-22. Limited residential development may occur in Environmentally Sensitive Habitat Area in the Asilomar Dunes Residential Area. Development in Asilomar Dunes shall be carefully sited and designed to ensure protection of coastal scenic values and maximum possible preservation of sand dunes and the habitat of rare and endangered plants and to maximize protection of existing and restorable native dune habitats, including degraded dunes, and the native oak and pine forests which stabilize the inland edge of the high dunes along Asilomar Avenue southwards from the vicinity of its intersection with Pico Avenue.

BIO-23. The siting of each new development and the expected area of disturbance around each residence within the Asilomar Dunes shall be individually reviewed via the required habitat assessment. Such review shall maximize protection of and duly protect against significant disruption of habitat values and minimize dune degradation and disturbance to sensitive plants and animals and their habitat.

BIO-24. Within the Asilomar Dunes area contiguous areas of undisturbed land shall be maintained, wherever feasible, to protect Environmentally Sensitive Habitat Areas and associated habitat values. To this end, development adjacent to Environmentally Sensitive Habitat Areas shall be planned to keep development intensity as low as possible in adjacent areas that may impact sensitive habitats, consistent with other planning criteria (e.g., drainage design, roadway design, and public safety). Clustering of development, including in relation to adjacent lots, is required if it results in larger contiguous open space and Environmentally Sensitive Habitat Areas.

BIO-25. The City shall seek funds to purchase vacant parcels west of Jewell Avenue on the landward side of Sunset Drive and permanently maintain them as open space in recognition of the area's remnant native pine forest dune habitat values, scenic qualities, and in order to preserve public views, including visual access to the ocean.

BIO-26. In order to preserve scenic values, remnant native pine forest and environmentally sensitive dune habitat on private parcels along the seaward side of Asilomar Avenue, from the vicinity of the Pico Avenue intersection southwards to Asilomar State Beach and Conference Grounds, should, where feasible, be the focus of preservation efforts by the City in this area in the same manner utilized for the Asilomar Dunes area (see BIO-24).

BIO-27. Development in the Asilomar Dunes residential area shall be sited and designed to limit impacts on the dune habitats and visual landscapes, including through avoiding accessory development antithetical to the open space dune environment.

- Obtrusive fencing and other such barriers 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.

- For new development on legal lots of record over one-half acre in the Asilomar Dunes residential area, maximum lot coverage shall be limited to 15 percent of the total lot area. For new development on legal lots of record that are one-half acre or less, maximum lot coverage shall be limited to a maximum of 20 percent of the total lot area, provided that an offsetting area of dune adjacent to the site (including in the adjacent right-of-way) equal to at least five (5) percent of the total lot area will be restored/enhanced, maintained, and permanently protected. 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 coverage. An additional five (5) percent of the total lot area may be used as Immediate Outdoor Living Space if such area is contiguous to allowed coverage areas and it is restored/enhanced and maintained dune. All other areas of the lot not covered and not allocated to Immediate Outdoor Living Space shall be 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.

- 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.

- Development shall minimize exterior and interior lighting visible from outside, including avoiding light spill into dune areas, and development shall limit glares (e.g., from windows and reflective surfaces), as much as possible.

- Development shall be located on the least environmentally sensitive prominent portion of the site, and shall be limited in size and scale to be as integrated and consistent with the dune landscape as possible. As feasible, visual impacts shall be minimized.

- Development shall use natural materials and hues that integrate and blend with the dune landscape as much as possible.
- Development must incorporate landscape screening through dune restoration and native landscaping in such a way as to minimize impacts on the dune viewshed.

BIO-28. Areas of new dune coverage associated with development on legal lots of record in the Asilomar Dunes area shall be required to be mitigated through providing for restoration/enhancement of off-site or on-site dune areas in the Asilomar Dunes.

BIO-29. In order to maintain low densities necessary to protect coastal scenic and habitat resources, second residential units (except where the purpose is to solely allow for dune restoration and other conservation uses on the entirety of such newly created parcel), shall be prohibited for otherwise allowable subdisvisions. Minimum parcel size for new land divisions are one-half acre properties fronting on Asilomar Ave north of Pico Ave, and one acre for other areas of Asilomar Dunes or lots of record.

BIO-30. The City shall prioritize restoring, enhancing, and maintaining dune areas in their right-of-way to the maximum degree feasible, including through use of the City's Environmental Assessment Fund for this purpose, targeting those areas most in need and within most significant public viewsheds. The City shall also prioritize removal of obtrusive fencing and non-native vegetation in the Asilomar Dunes area wherever feasible (e.g., through code compliance efforts and when considering public or private development proposals in the dunes).

BIO-31. Development associated with existing residential development that is non-conforming with respect to lot coverage in the Asilomar Dunes residential area that results in alteration of 50% or more of the major structural components (including exterior walls, floor and roof structure, and foundation) measured cumulatively taking into consideration previous alterations approved on or after June 7, 1989 shall require that all development on the site be brought into conformance with the Local Coastal Program.

BIO-32. Development associated with conforming residential development that is equal or less than to the coverage limit shall only be allowed, consistent with all other policies, if there is no new coverage of existing dune habitat and all areas of dune habitat outside of the residential development are restored and permanently protected.

Asilomar State Beach and Conference Grounds

BIO-33. The City shall support California Department of Parks and Recreation's dune protection efforts at Asilomar State Beach and Conference Grounds, including those efforts designed to:

a. Implement a dune restoration program if necessary, including restricting public access, in the northern portion of the Asilomar State Beach and Conference Grounds to protect the habitat of rare and endangered dune plants;

b. Undertake dune stabilization programs on the central and southern dunes, including planting of native vegetation and contain or direct recreational activities to well-defined areas;

c. Ensure that expanded or replacement facilities in the sensitive forest-front transition zone, adjacent to the sand dunes, are restricted to the existing building envelopes or outside of the forest-front zone;

d. Maintain the native forest of Asilomar State Beach and Conference Grounds and; where necessary, utilize plantings of nursery stock pine trees grown from site-specific stock; and,

f. Preserve and protect the Majella Slough, on state property south of Sunset Drive, from human intrusion.

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3.0
BUILT ENVIRONMENT

Chapter Three discusses the built environment in Pacific Grove's Coastal Zone. Five topics are addressed. Coastal Act requirements for each topic are described followed by policies related to each topic. Policy topics are identified by the abbreviation shown below:

1. Community Design (DES)
2. Land Uses and Designations (LUD)
3. Cultural Resources (CRS)
4. Public Infrastructure (INF)
5. Parks, Recreation, and Public Access (PRA)

3.1 COMMUNITY DESIGN (DES)

3.1.1 Background – Community Design

Two organizing principles have shaped Pacific Grove's community design: keeping the shoreline open and accessible to the public and a sustained commitment to a low-scale residential character in the built environment. Very early, the City set aside most of its shoreline as permanent open space for public recreational use and enjoyment. Older neighborhoods, especially the original Pacific Grove Retreat, have been carefully preserved by the community for their historical interest, architectural values, and the charm they give to the City as a whole. The City's persisting commitment to its founders' dual principles has resulted in a coastline of unsurpassed natural beauty and a complementary built environment.

With the annexation of the Asilomar Dunes area in 1980, the City assumed new land use planning responsibilities. Their location, in a scenic coastal area and on sand dunes supporting

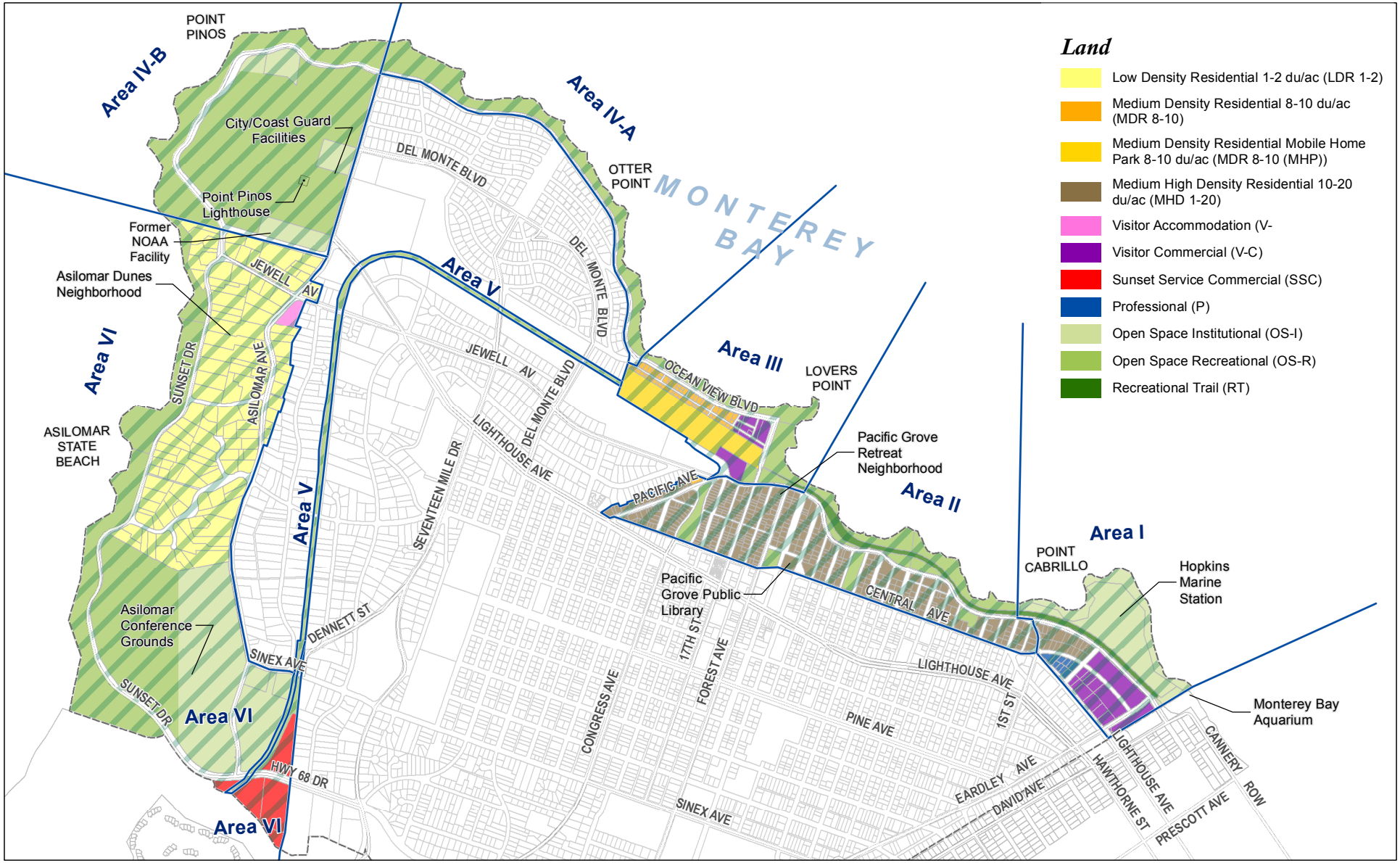
several rare and endangered plants and animals, requires the City to provide and adhere to strict land use regulations for future development in this area. These land use planning issues are specifically addressed by the Coastal Act, and implemented in the Land Use Plan's Biological Resources and Environmentally Sensitive Habitat Areas chapter.

The Lighthouse Reservation area, shown as Area IV-B on the Land Use map, is owned by the United States Government and the City. The former National Oceanic and Atmospheric Administration Southwest Fisheries Center, Point Pinos Lighthouse and United States Coast Guard installation presently operate there. The off shore rocks (many connect to the shore during low tides) are included in the federal California Coastal National Marine Monument. The balance of the Lighthouse Reservation is operated by the City for public park purposes, pursuant to a special agreement with the United States Coast Guard. Federal agencies are not subject to the coastal development permit jurisdictions of either the City or the Coastal Commission, but are subject to the Coastal Commission's federal consistency process provided for by the federal Coastal Zone Management Act of 1972.

Nearly continuous unobstructed views of the sea are possible along the Pacific Grove shoreline. Few structures exist seaward of Ocean View Boulevard or Sunset Drive; with the exception of the Service Center area where structures are built on both sides of Sunset Drive. The inland side of Ocean View Boulevard, east of Asilomar Avenue is essentially "built out" and has assumed a residential character. West of Asilomar Avenue, the inland view from Ocean View Boulevard is predominantly open space consisting of a golf course at Lighthouse Reservation. The few structures present (e.g. City/United States Coast Guard facilities) are situated some distance from Ocean View Boulevard.

South of Lighthouse Reservation, the Asilomar Dunes area has been developed with low-density single-family residential dwellings set amongst coastal dune habitat. However, not all the Asilomar Dunes area lots have been developed, and both requirements associated with permitted development as well as the remaining vacant lands serve to soften the contrast between existing development and the expansive open space throughout the dunes, including the predominantly undeveloped areas seaward of Sunset Drive.

Figure 5, Coastal Zone Land Use Plan Designations, supports the policies and illustrates the general types, locations, and intensities of uses to be permitted within the Coastal Zone. The land use policies that follow and Land Use Plan Designation figure are, with only limited exceptions, a direct reflection of existing development and present City regulations.



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Legend

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

Source: City of Pacific Grove 2014, Google Earth 2013

Figure 5

Coastal Zone Land Use Designations

City of Pacific Grove Land Use Plan

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3.1.2 Coastal Act Policies - Community Design

The Coastal Act provides direction on the location of development. New residential, commercial, or industrial development are to be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it and must minimize adverse impacts (Public Resources Code §§30250, 30253 (a) and 30253 (b).

The Coastal Act also addresses visual access and character of development. Coastal area scenic and visual qualities are to be protected as resources of public importance. Development is required to be sited to protect public views, to minimize natural landform alteration, and to be visually compatible with the character of surrounding areas. Where feasible, visual quality in visually degraded areas is to be restored and enhanced. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting (Public Resources Code §30251).

3.1.3 General Plan and Other Policies - Community Design

The Pacific Grove General Plan Urban Structure and Design Element identifies the City's coastal corridor as an important scenic resource for residents and visitors. Urban Structure and Design Element Policy 2 requires architectural review for all new structures, and for exterior changes to existing structures. Urban Structure and Design Element Policy 6 calls for the beautification of the Sunset Drive commercial district. The Pacific Grove General Plan designates all shorefront lands for open space, except for a commercial area adjacent to Monterey and a residential designation on privately-owned property seaward of Sunset Drive.

The *Resource Management Plan/General Development Plan* and the *Dunes Restoration Plan for Asilomar State Beach and Conference Grounds* do not propose any development on the ocean side of Sunset Drive, with the exception of boardwalks through the dunes and pedestrian control fencing to direct visitors to designated accessways.

The Land Use Plan policies on community design that follow supplement existing City policies and regulations by providing for:

- Control of densities in coastal residential areas;
- Control of the design and siting of structures within scenic areas; and
- Preservation of the overall existing character of development within the Coastal Zone.

3.1.4 Land Use Plan Policies - Community Design

Refer also to the Scenic Resources policies in §2.3.4.

DES-1. All new development shall be consistent with the land use designations and other requirements of the certified Local Coastal Program, including the certified Land Use Designations figure (Figure 5).

DES-2. Residential densities shall not exceed those specified on the Land Use Designations figure, and may in specific instances be reduced by application of the Local Coastal Program policies.

DES-3. Development standards for scenic areas shall minimize land coverage, grading, and structure height, and provide for setbacks from adjacent public open space areas.

DES-4. Development, to the maximum extent feasible, shall not interfere with public views of the ocean and bay and other public viewsheds.

DES-5. Preserve the existing residential, small-scale commercial, and visitor-serving recreational character in the Coastal Zone where such character appropriately embodies and provides the type of low-key and small-scale character desired by this Land Use Plan. Encourage redevelopment or renovation of existing structures when needed to improve the quality of design and attract visitors to the Coastal Zone. Require commercial signs to be of a size, location, and appearance so they do not detract from the area's scenic qualities and cause visual clutter and blight, and require utilities to be placed underground or away from public view. New development, and renovation or expansion of existing development, shall be designed to be consistent with the community character, to protect scenic resources, and incorporate climate adaptation measures as appropriate.

DES-6. Development at Lovers Point, the Hopkins Marine Lab property, and the Lighthouse Reservation lands shall be minimized, shall conform to the overall scale and character of existing development at these locations, and shall ensure the protection of existing public views to the maximum extent feasible. Hopkins Marine Station should be encouraged to remove exotic plants and restore a native bluff plant community, and consider the removal of any exposed chain link fence. The City may provide for these outcomes through conditions of approval associated with development at Hopkins Marine Station.

DES-7. New lighting fixtures shall be mounted at low elevations and fully shielded to direct lighting downward, and away from the shoreline. Lighting along walkways should be mounted on low bollards (short vertical posts). Lighting shall be focused on

targeted use areas, and floodlighting shall be prohibited. Exterior lighting fixtures should complement the architectural style of structures. Lighting shall be limited to that necessary to provide for public safety, and shall be sited and designed to limit glares and light spill off-site.

DES-8. Non-conforming structures may be maintained and repaired. Expansion of non-conforming structures will only be allowed if both the expansion and existing structure are made conforming. Unless destroyed by a natural disaster, the replacement, alteration, or addition of 50 percent or more of an existing structure is considered redevelopment, whereby the entire structure shall adhere to all applicable Local Coastal Program policies regarding new development.

3.2 LAND USES AND DESIGNATIONS (LUD)

3.2.1 Background - Land Uses and Designations

Priority land uses, as defined by the Coastal Act, include recreation and visitor-serving and coastal-dependent uses. Coastal-dependent uses in Pacific Grove include portions of the Hopkins Marine Lab facilities at Point Cabrillo, the United States Coast Guard and former National Oceanic and Atmospheric Administration Southwest Fisheries Center facilities at Point Pinos, and the Monterey Bay Aquarium (partially within city limits).

Priority uses that provide for recreation and visitor-serving opportunities for both Pacific Grove residents and visitors are numerous within the Coastal Zone, and are available to a broad economic range of users. The shoreline parks, trail network and parking areas make it possible for pedestrians and motorists to enjoy nearly the entire length of the Coastal Zone, from Cannery Row to the southern limits of Asilomar State Beach and Conference Grounds. At several points, direct access to beaches is available by stairways or paths. The abundant life of Monterey Bay's waters attracts numerous divers; the Monterey Bay Aquarium provides other visitors to the Coastal Zone a similar opportunity to observe marine life.

A paved multi-use recreational trail stretches from the Monterey Bay Aquarium area to Lovers Point. From Lovers Point the recreation trail is blocked in several places and goes through the golf course where there may be conflicts. From the golf course to Spanish Bay (or the City limits) the recreation trail is used and needs to be further developed and acquired. A bike route extends along Ocean View Boulevard from Lovers Point to Spanish Bay. The portion of the Union Pacific Railroad right-of-way which extends from Lovers Point to the boundary of Del Monte Forest is being considered for acquisition and development of a recreational trail consistent with the operation of the golf course. An interpretive signing program at popular visitor destinations within the Coastal Zone could further enhance the visitor's shoreline experience.

Concentrations of visitor-oriented commercial facilities within the Coastal Zone are located at Lovers Point and near Cannery Row. In addition to overnight accommodations and dining facilities available at the Asilomar State Beach and Conference Grounds, there are four privately-operated motels, and a half dozen restaurants. Other existing recreation and visitor-serving facilities include the municipal golf course and the Lighthouse Museum at Lighthouse Reservation.

3.2.2 Coastal Act Policies - Land Uses and Designations

Coastal Act policies relating to priority uses require that Coastal Zone waters and oceanfront land suitable for recreational use be protected for recreational use and development, that visitor-serving and commercial recreational facilities are given priority on suitable private lands over private residential, general industrial, or general commercial development (but not over agriculture or coastal-dependent industry), and that upland areas necessary to support coastal recreational uses be reserved, where feasible, for such uses (Public Resources Code §§30220-30223). Coastal-dependent uses are given further preference (Public Resources Code §30254). The Coastal Act also requires that lower cost visitor and recreational facilities be protected, encouraged and, where feasible, provided, and gives preference to development providing public recreational opportunities (Public Resources Code §30213). Additional policies address the location and amount of recreation/public facilities development to mitigate against the impacts of overcrowding or overuse (Public Resources Code §§30212.5, 30250(c) and 30252(6)).

3.2.3 General Plan and Other Policies - Land Uses and Designations

Existing land uses within Pacific Grove's Coastal Zone are designated for various use types by the Pacific Grove General Plan, and are consistent with the land use designations with a few exceptions: existing visitor accommodations at Jewell and Asilomar avenues and existing visitor accommodations and the adjacent restaurant on Sunset Drive across from the Asilomar State Beach and Conference Grounds are designated in the General Plan, respectively, medium residential and general commercial; the existing coastal-dependent educational uses at the Hopkins Marine Lab property are designated for open space institutional uses..

The Land Use Plan policies that follow supplement existing City policies and regulations by providing for:

- Reservation of specific areas for recreational uses, visitor accommodations, visitor-commercial and coastal-dependent uses;
- Improved and new visitor-serving facilities (e.g., vehicle parking areas, bike route and parking racks, visitor-information/interpretive sign program, and railroad right-of-way recreational trail); and

- The opportunity to extend and improve the recreation trail

3.2.4 Land Use Plan Policies - Land Uses and Designations

LUD-1. Protection of sensitive habitats, natural landforms, scenic resources, and other coastal resources shall be a priority in all City actions and decisions, and all development shall be modified so as to protect and enhance such resources to the maximum extent feasible. Development shall only be authorized when the proposed use is allowed per the applicable land use designation, and when it meets all applicable Local Coastal Program policies and standards.

A significant portion of the Coastal Zone may be considered Environmentally Sensitive Habitat Area. Please refer to the Land Habitat Sensitivity Map and policies in §2.4.4, Biological Resources and Environmentally Sensitive Habitat Areas, Land Use Designations.

LUD-2. Land use standards for all land use designations including the American Tin Cannery building/property located in Assessor Parcels (APN) 006-231-001, 006-234-004, 006-234-005, and the portion of Sloat Street between Eardley Avenue and Dewey Street (C-V-ATC zoning district) can be found in the Implementation Plan.

LUD-3. All accommodation units shall be for transient use only (i.e., occupancy of such units shall be for a period not to exceed 30 days). Where feasible, overnight lodging facilities should be encouraged to scale back building boundaries on site edges, select appropriate architecture, and/or limit heights to better transition to the residential neighborhood, and contribute to the upkeep of the adjacent neighborhoods. Lower-cost visitor-serving facilities, including visitor accommodations and public recreational opportunities, shall be protected and encouraged. Existing lower-cost accommodations shall be protected, and new lower-cost accommodations shall be provided by new development.

LUD-4. The Land Use Plan Designations figure shall officially designate land uses for the Coastal Zone, according to the following land use designations (NOTE: numbers note maximum dwelling units per acre (e.g., LDR 1-2 means a maximum of one to two dwelling units per acre)):

LDR 1-2	Low Density Residential
MDR 8-10 (MHP)	Medium Density Residential for Mobile Home Park
MDR 8-10	Medium Density Residential
MHD 10-20	Medium-High Density Residential

V-A	Visitor Accommodation
V-C	Visitor Commercial
SSC	Sunset Service Commercial
P	Professional
OS-I	Open Space Institutional
OS-R	Open Space Recreational
RT	Recreational Trail

In all land use designations, open space and public parks and recreational facilities and opportunities shall be allowed uses in addition to the uses specified below.

Permitted Residential Uses

LUD-5. Allowed uses for Coastal Zone areas designated LDR 1-2 include:

a. single-family residences;

b. scenic reserves;

c. natural habitat reserves;

d. guest/auxiliary/second housing units up to the permitted densities, except within the Asilomar Dunes Residential Area; and

e. uses accessory to the above listed uses.

LUD-6. Allowed uses for Coastal Zone areas designated MDR 8-10 (MHP) include:

a. mobile homes; and

b. uses accessory to the above listed uses.

LUD-7. Allowed uses for Coastal Zone areas designated MDR 8-10 include:

a. single-family residences;

b. multi-family residential units;

c. guest/auxiliary/second housing units up to the permitted densities;

d. boarding houses;

e. bed and breakfast facilities in locations zoned R-3-P.G.R; and

f. uses accessory to the above listed uses.

LUD-8. Allowed uses for Coastal Zone areas designated MHD 10-20 include:

a. single-family residences;

b. multi-family residential units;

c. guest/auxiliary/second housing units at the permitted densities;

d. boarding houses;

e. professional office uses;

f. assembly halls; and

g. uses accessory to the above listed uses.

Permitted Visitor Uses

LUD-7. Allowed uses for Coastal Zone areas designated V-A include:

a. overnight lodging facilities;

b. bed and breakfast facilities;

c. limited appurtenant eating establishments and shops where appropriat;

d. Visitor-serving commercial and retail uses; and

e. Uses accessory to the above listed uses.

LUD-8. Allowed uses for Coastal Zone areas designated V-C include:

a. overnight lodging facilities and appurtenant uses;

b. eating and drinking establishments;

c. visitor-serving retail, service commercial (e.g., banks, grocery stores and gas stations), and event venues;

d. institutional uses oriented to tourism;

e. public and private parking facilities; and

f. uses accessory to the above listed uses.

LUD-11. Allowed uses for the Coastal Zone areas designated SSC include:

a. heavy commercial uses such as lumber yards, building supply centers, home and design centers, business service centers, hardware stores, and indoor and outdoor storage facilities;

b. industrial uses such as fabrication and light manufacturing;

c. retail and services uses;

d. offices;

e. uses allowed in the areas designated V-C;

f. uses accessory to the above listed uses.

Permitted Professional Uses

LUD-10. Allowed uses for Coastal Zone areas designated P include:

a. professional office space consistent with existing development patterns; and

b. public and private parking facilities;

c. visitor-serving commercial and retail uses;

d. existing residential uses; and

e. uses accessory to the above listed uses.

Permitted Open Space Uses

LUD-11. Allowed uses for Coastal Zone areas designated OS-R include:

a. low-intensity recreational and educational activities such as walking, nature study, photography and scenic viewing, and temporary events at Lovers Point;

b. facilities to access the water for recreational and educational activities such as diving, small craft boating, fishing, and swimming;

c. within the municipal golf course only, continued use as a public golfing facility; and

d. facilities for non-motorized modes of transportation including designated bike paths, bike lanes, and trails.

Other uses for Coastal Zone areas designated OS-R are limited to visitor-serving commercial uses that are incidental to and in support of public recreation, provided that such uses do not adversely affect coastal access or and other coastal resources; the uses and associated landscape plantings, signs, utilities, and other related development will not obstruct or interfere with public views of the ocean or bay from Ocean View Boulevard, Sunset Drive, Lighthouse Reservation lands, or the

Asilomar State Beach and Conference Grounds; and when the uses meet all of the following criteria:

- the use supports, facilitates, and enhances recreational use and enjoyment of OS-R areas;
- the use provides convenient services for recreational users, engaging in permitted uses in OS-R areas, including construction of additional public restroom buildings; and
- permanent commercial uses must utilize existing or restored structures without the construction of new structures or expansion of existing structures.

In the portions of the Union Pacific Railroad right-of-way designated OS-R, the City shall conduct a study evaluating trail alignment, possibly on the road, to link Lovers Point to Asilomar Beach and Spanish Bay. No development shall be allowed within the corridor that would compromise its utility for public recreational access or open space. Development that could impair the use of the corridor as a potential public accessway shall be conditioned to require dedication of a through public recreational access easement to an appropriate public agency prior to issuance of permits; or purchase of a suitable and similar alternate route. If an alternate route is established, it must result in through public access between the Lovers Point area and the existing Spanish Bay trail system, utilizing the abandoned railroad right-of-way wherever feasible. If the former railroad right-of-way is merged with adjoining parcels, the following easements shall be granted:

- an open space easement, encompassing the entire former railroad right-of-way segment; and
- a public access easement, at least 12 feet in width, for the purpose of establishing a public recreational trail route.

LUD-12. Allowed uses for Coastal Zone areas designated OS-I include:

a. Asilomar Conference Grounds: overnight accommodations, conference facilities, low-intensity coastal-related recreation, and very limited public recreational access to protect coastal habitat to the extent compatible with protection of designated natural and biotic resource areas.

b. Hopkins Marine Station: coastal-dependent marine research and educational activities, aquaculture, and coastal-dependent recreation and public recreational access that is compatible with maintenance of coastal-dependent scientific and educational uses.

c. Monterey Bay Aquarium: coastal-dependent marine research, educational and recreational activities and facilities, aquaculture, and public recreational access.

d. Lighthouse Reservation: existing coastal-related institutional and military structures, low-intensity coastal-related recreation, and public recreational access compatible with protection of designated natural and biotic resources, including Crespi Pond, sand dunes and existing stands of Monterey pines.

e. Critical infrastructure consistent with Local Coastal Program policies regarding coastal hazards and sea level rise.

LUD-15. Allowed uses for Coastal Zone areas designated RT include:

a. Monterey Peninsula Recreation Trail bicycle and pedestrian path; and

b. appurtenant public recreational uses; and

c. uses accessory to the above listed uses.

LUD-14. The City encourages a range of accommodation types, including lower-cost visitor accommodations and public recreational opportunities d.

3.3 CULTURAL RESOURCES (CRS)

3.3.1 Background - Archaeological Resources

Over 7,000 years ago Rumsien Ohlone and Esselen peoples inhabited this coastal area of Pacific Grove, long before European contact. Extensive Archaeological research has been undertaken by the City, including an Archaeological Sensitivity Map for Pacific Grove and archaeological reports. In keeping with the City's high regard for its past history, a presentation by archaeologists for preparation of this Land Use Plan was well-attended.

The Ohlone linguistic group inhabited ancestral lands ranging from San Francisco Bay to Big Sur and numbered at least 15,000 before European contact. The Ohlone Costanoan Esselen Nation represents at least 19 villages of native peoples from the Monterey Peninsula and regions to the south. Archaeological resources are located throughout the Coastal Zone.

An Archaeological Sensitivity Map for Pacific Grove and archaeological reports have been prepared for the City. The generalized sensitivity map designates most of the Coastal Zone as an area where there is a likelihood of prehistoric cultural resources, which is reflected in Figure 6, Archaeological Sensitivity Map. In order to protect archaeological resources, and consistent with the Archaeological Resources Protection Act of 1979, the detailed archeological reports are not publically available.

0 1800 feet

Legend

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

Source: City of Pacific Grove 1989, Google Earth 2013

Figure 6

Archaeologically Sensitive Area

City of Pacific Grove Land Use Plan

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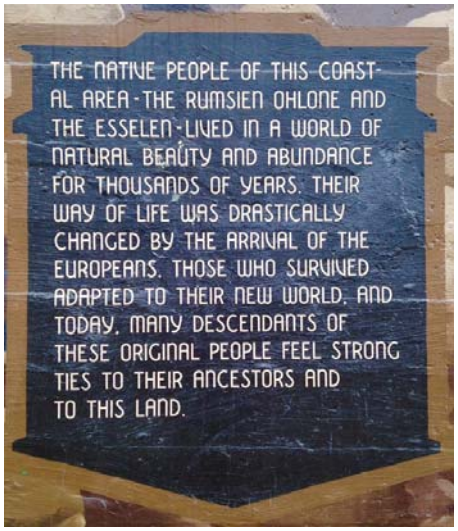
3.3.2 Coastal Act Policies - Archaeological Resources

The Coastal Act requires that any potential adverse impacts on archaeological and paleontological resources from development shall be mitigated through reasonable measures (Public Resources Code §30244).



The sign to the left appears on a 100+ feet mural painted on a wall adjoining Pacific Grove's recreation trail. Scores of people pause daily and examine the mural which portrays Pacific Grove's coastal environment since the pre-historic Ohlone cultures to the late 19th century founding of the City. The sign's message – that descendants of these original people feel strong ties to their ancestors and this land – seems to describe not only family descendants, but the love for Pacific Grove's timeless quality experienced by nearly everyone who visits Pacific Grove's Coastal Zone. Photo Credit – Jean Anton, 2015.

3.3.3 General Plan and Other Policies - Archaeological Resources

The Pacific Grove General Plan Historic and Archaeological Resources Element contains a discussion of the City's archaeological resources. As stated in §7.5 of the Historic and Archaeological Resources Element:

> The entire Pacific Grove Coastal Zone has been designated an Archaeologically Sensitive Area. There are archaeological resources elsewhere in the Planning Area. A 1974 survey of Monterey County found archaeological sites within the Pacific Grove Planning Area. A 1977 archaeological survey conducted in connection with the Monterey-Pacific Grove regional sewer project revealed the existence of a 4,000-year old village site. More recent studies also indicate the likelihood of prehistoric cultural resources.

As part of the coastal permit process, the Coastal Commission has historically conditioned permits in Pacific Grove to require protection of archaeological resources. These requirements have included:

- Review of the site by a qualified professional archaeologist to determine its value;
- Preparation of environmental review documenting project impacts to archaeological resources under the California Environmental Quality Act;

- Re-siting or redesigning the project to minimize impact on archaeological resources; and
- Preparation and implementation of an archaeological mitigation plan which could include excavation or protection of the resource for future study by covering with fill or other mitigation measures.

3.3.4 Land Use Plan Policies - Archaeological Resources

CRS-1. The City shall conduct consultations with the tribe officially recognized as native to the Monterey Peninsula, the Ohlone Costanoan Esselen Nation, in accordance with state law.

CRS-2. The City shall ensure the protection, preservation, and proper disposition of archaeological resources within the Coastal Zone.

CRS-3. The City shall assist developers and landowners by providing early identification of sensitive sites so that archaeological resources can be considered and protected during the early phases of project design. The City shall require new development to prepare an archaeological report by a qualified professional and, where appropriate, shall require mitigation measures to adequately protect and preserve potential archeological resources.

CRS-4. The City shall update the background information for all archaeological sites identified within the Coastal Zone to develop a current assessment of the resources' potential historical significance and evaluate their vulnerability to climate change, including for those sites recommended or determined to be eligible for listing in either the National Register of Historic Places or the California Register of Historic Resources; and conduct the further research needed in order to determine the present condition of each site and to make an assessment of their potential eligibility for listing on either register, and therefore, their potential historical importance.

3.3.5 Background - Historic Resources

Pacific Grove is a small coastal town located at the tip of the Monterey peninsula adjacent to the Pacific Ocean and Monterey Bay. It is defined by a unique combination of natural features, rich history and traditional neighborhoods that creates a special place for its residents and attracts visitors from around the world. It is part of the rocky shoreline of Central California with accessible pocket beaches, framed by Monterey Pines and Cypress trees in a backdrop of rising ridge lines that result in a spectacular relationship of forest and sea. Each neighborhood exhibits features that enhance the livability and "home town" character of the community. The City of Pacific Grove's Coastal Zone includes the Pacific Grove Retreat which is considered to be a

"special community" and new development shall protect this special community and neighborhoods, and its unique natural and manmade resources, as provide in the Coastal Act.

The Spanish Period

During the Spanish expeditions in the 1500's, Juan Rodriques Cabrillo sailed by Monterey Bay in the Fall of 1542, which he called "Bahia de los Pinos" (Bay of the Pines). On the same voyage, Cabrillo called Point Pinos, "Cabo de Pinos". In 1602, Sebastian Vizcaino sailed a fleet of three ships north from Mexico to explore the "Alta" California coast. During his visit he renamed the bay to be "Puerto Monte-Ray" (Monterey Bay), and the cape or point, to be "Punta de los Pinos" (Point Pinos). During 1769 and 1770, Father Jaun Crespi was part of the overland trips conducted by Gaspar de Portolla and Father Juniero Serra. On May 2, 1770, Father Crespi wrote in his diary about the "Salty Lagunas" at Punta de los Pinos, which are now called Crespi Pond.

The Mexican Period

From 1821 to 1846, Mexico ruled over Alta California, and in 1833 the "Rancho Punta de Pinos" land grant was awarded by the governor of Mexico to a soldier from the nearby Monterey Presidio. That land was bounded by the Pacific Ocean on the west and Monterey Bay to the north, and westerly of the easterly boundary line, drawn from Point Alones (Abalone Point)to the north and to Cypress Point now part of Pebble Beach to the south. The City of Pacific Grove roughly aligns with the boundaries of Rancho Punta de Pinos. There is no visible evidence of buildings or structures from the Native American, Spanish period, or Mexican Periods in Pacific Grove.

Post Mexican-American War

The war ended in in 1848. In 1849, California was admitted into the United States and the Point Pinos Station was constructed in 1854 on U. S. government land. It is the oldest structure in Pacific Grove and continues to operate to this day. During that period of transition, Chinese immigrants built a small fishing village for about 500 people in a small sheltered cove west of Alones Point. It was abandoned due to overfishing within a few years when the fishermen moved to Point Lobos south of Carmel.

Point Pinos Lighthouse. Pacific Grove's Coastal Scenery. Photo Credit Stephen Bay, BayImage.net/City of Pacific Grove website at http://www.cityofpacificgrove.org/.

After California joined the United States, the U. S. Coast Survey prepared a detailed map in 1852 of Monterey and coastline including Point Pinos to aid in navigation. As mentioned above the Lighthouse that was built in 1854, remains in operation. It is listed on the National Register of Historic Places. In 1864, Daniel Jacks purchased pueblo lands from the Mexican era Rancho de los Pinos and raised cattle on most of the land.

Pacific Grove Retreat

The historic Pacific Grove Retreat (or "Retreat') is located between Pacific Street to the west and Dewey Street at the east, and north of Central Avenue (the boundaries extend beyond the designated Coastal Zone.) Due to the Retreat's unique historic, architectural, and scenic characteristics the area is an important resource to the community and draws many visitors. As such, the area of the retreat within the Coastal Zone is considered a "special community" within the context of Resources Code §30253(e).Policies are included in this Land Use Plan to ensure the area is protected consistent with provisions of the Coastal Act.

The Pacific Grove Retreat dates to 1875, when about 100 acres of land near Jewell Park and Lovers Point were donated for the establishment of a Methodist retreat center. The unique architectural and visual character of the Pacific Grove Retreat is due to its historic origins as a 19th century coastal Methodist coastal retreat – the only such relatively intact community remaining on the Pacific coastline.

An outstanding feature of the Pacific Grove Retreat is the number and concentration of late 19th and early 20th century structures that have survived. Over half of the 385 residential structures in the Coastal Zone portion of the Pacific Grove Retreat are identified in the City's Historic Resources Inventory. The area between Pacific Street and Grand Avenue is particularly rich in

historic buildings and possesses a significant concentration, linkage, and continuity of sites, buildings, structures, and objects united historically or aesthetically by their physical development.

The 1875 Methodist Literary and Scientific Circle Meetings introduced the concept of scientific studies along the Pacific Grove coast. The Chautauqua movement with its national goals to promote "study in nature, art, and science" established its West Coast headquarters at the Retreat in 1879. The annual summer assemblies provided public education via lectures, concerts, and theatrical performances and a four-year reading course. Chautauqua Hall was built in 1881. In July, 1889, the City was incorporated, and the first railroad service was established.

Pacific Grove continued to fill in the vacant lots of the Retreat, and attracted visitors to auto camps and to develop new neighborhoods, such as Mermaid Avenue (aka "Bungalow City") The Beach Tract, City of Homes, Fairway Homes, etc.

Current land use in the Coastal Zone portion of the Pacific Grove Retreat is predominantly single-family residential. Newer multiple-unit dwelling from the mid to late 20th century period are concentrated near the commercial center on Lighthouse Avenue and along Ocean View Boulevard. Interspersed among the streets of historic homes are several small parks – Caledonia, Greenwood, Jewell, and Andy Jacobsen. The scale, vegetation, and physical features of the parks make a distinctive contribution to the total composition of the Pacific Grove Retreat.

Historic Structures and Other Resources

At Asilomar State Beach and Conference Grounds, historic and architectural resources are found in the eleven buildings (circa 1913) designed in the American Arts and Crafts Movement genre by the pioneering California woman architect Julia Morgan. The Julia Morgan buildings at Asilomar State Beach and Conference Grounds and the land between them have been designated as a National Landmark District, which is the highest level of recognition for a cultural resource in the United States.

The Hopkins Marine Station of Stanford built at Cabrillo Point in 1917 near the Monterey Boat Works factory (circa 1906), was originally built at Lover's Point in 1892 as the Hopkins Seaside Laboratory, and was the first marine science research facility on the California coast, and is renowned worldwide.

Dr. Julia Platt became mayor in 1931 and obtained special California State Legislation that year, designating an underwater Marine Garden as part of the City. Pacific Grove is the only city in the state with the right to control the lands beneath the ocean along its coastline. Two miles of the Marine Garden Fish Refuge adjoin both the Pacific Grove Retreat and a portion of the Beach Tract.

The City of Pacific Grove Historic Resources Inventory is on file at the City and lists the address, date of construction and the first owners of the historic structure. The Pacific Grove Historic Context Statement, approved by the City Council on October 19, 2011, identifies development patterns and significant property types within the City. It is intended to be used as a tool to better understand, evaluate and conserve the City's historic resources. Maps depicting the historical periods of development generally reflect the neighborhoods of those eras. Two Ad Hoc Committees regarding historic resources met in 2013 - 2016 and made several recommendations to improve efforts to preserve the City's historic fabric.

3.3.6 Coastal Act Policies – Historic Resources

The California Coast Act seeks to minimize the adverse impacts to historical and archaeological resources within the Coastal Zone by requiring mitigation of any adverse impacts to these resources by any development (Public Resources Code §30244).

Two Coastal Act policies address protection of special communities. The Coastal Act requires that the unique characteristics of special communities and neighborhoods be protected ((Coastal Resources Code §30253(5)) and provides that scenic and visual qualities of coastal areas are a resource of public importance which deserve protection from incompatible new development (Public Resources Code §30251).

The Coastal Zone area within the incorporated limits of the City of Pacific Grove includes the historic Pacific Grove Retreat which is a "special community" within the meaning of Coastal Act §30253(e), and as described in: Part II "Findings and Policies" for Special Communities and Neighborhoods of the California Coastal Plan, December 1, 1975, as provided in Coastal Act §30002 and §30102.

Public Resource Code § 30253. New development shall do all of the following:

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

3.3.7 General Plan and Other Policies - Historic Resources

Steps have been taken by the City to protect historic resources including the Pacific Grove Retreat. Among these are:

- The preparation of the Historic Resources Inventory (1978):
- Adoption of the Pacific Grove Historic Context Statement (2011);
- The requirement that all exterior modifications be reviewed and approved;

- Revised zoning for the Pacific Grove Retreat;
- Formulation of design criteria as reflected in the City's *Architectural Review Guidelines for Single-Family Residences*;
- Regulation of the demolition of historic structures;
- The use of the Historic Building Code for improvements to older structures as required by state Law; and

The Julia Morgan buildings at Asilomar State Beach and Conference Grounds and the land between them have been designated as a National Landmark District, which is the highest level of recognition for a cultural resource in the United States. Any proposed alteration of the historic buildings or surrounding area are required to follow guidelines and review processes administered by the State Office of Historic Preservation (Public Resources Code §5024.5).

The following policies on historic resources extend and strengthen existing protective measures. The policies are intended to give explicit recognition to the Pacific Grove Retreat, the Julia Morgan structures, and other historical, architectural and cultural resources in the Coastal Zone, to give clear status to the City's Design Review Criteria, to add further protection against demolition of historic buildings, and to promote a range of historic preservation methods and opportunities.

3.3.7 Land Use Plan Policies - Historic Resources

CRS-5. The Pacific Grove Retreat's unique characteristic and architectural heritage contribute to the aesthetic, social, and economic well-being of the community, both for residents and visitors. The City shall encourage the protection, maintenance, and enhancement of the unique historical, architectural, and visual characteristics of the Pacific Grove Retreat. Prior to any City review or regulatory action, all structures within the Retreat area constructed 50 years ago or more shall be evaluated for local historic significance.

CRS-6. All proposed development actions, including City public works projects, shall be consistent with maintaining the current scale and character of the Pacific Grove Retreat.

CRS-7. Rehabilitation, reconstruction, remodeling, or exterior modification of existing structures with historic or architectural significance in the Pacific Grove Retreat, and other neighborhoods in the Coastal Zone, shall relate to or retain the lines of the original design as much as possible and alterations shall provide evidence of substantial compliance to the Secretary of the Interior standards for historic resources.

CRS-8. Design review shall be required as part of the Coastal Development process in order to maintain historical continuity and visual harmony of new development within the Pacific Grove Retreat and other neighborhoods in the Coastal Zone.

CRS-9. In order to protect historic structures, unwarranted demolition shall be avoided by implementing standards for demolition.

CRS-10. The City shall continue its ongoing programs of citizen involvement in carrying out its historic preservation policies and programs.

CRS-11. The City shall continue to implement the Housing Rehabilitation Loan Program, and any other similar future programs, to assist property owners in the maintenance of structures in the Pacific Grove Retreat and other historical properties in good condition in order to retard physical deterioration. Possible approaches will include incentives, code enforcement, award programs, rehabilitation programs, and use of the California State Historic Building Code

CRS-12. Other historic or architecturally unique structures, including the Julia Morgan structures at Asilomar State Beach and Conference Grounds, shall be protected and maintained to the fullest extent possible. In order to preserve structures designed by Julia Morgan at the Asilomar State Beach and Conference Grounds, the City shall encourage the State Historian to consult with the City on design review prior to any proposed exterior alterations.

CRS-13. The City shall maintain and update the Historic Resources Inventory, with assistance from the Heritage Society of Pacific Grove, to provide a current description of the historic and visual character of the Pacific Grove Retreat and of the other historical neighborhoods in the Coastal Zone.

CRS-14. The City shall consider pursuit of Certified Local Government status, and historic district designation, as appropriate.

3.4 PUBLIC INFRASTRUCTURE (INF)

3.4.1 Background - Water Supply, Conservation, and Wastewater

Clean, potable water is a precious resource, particularly on the Monterey Peninsula and in Pacific Grove. Pacific Grove's potable water is supplied by California-American Water Company (Cal-Am), a privately-owned utility. Potable water is regulated by the Monterey Peninsula Water Management District and by the City's Municipal Code, Chapter 11.65. The

Monterey Peninsula Water Management District maintains water allocation data for peninsula agencies and should be contacted for further information.

Pacific Grove obtains its water supply from surface water in Carmel Valley and from groundwater resources in the Carmel Valley and Seaside Groundwater Basins. Withdrawals from the Carmel Valley are governed by the Monterey Peninsula Water Management District. The Seaside Groundwater Basin is adjudicated and overseen by the Seaside Groundwater Basin Watermaster.

Cal-Am has been mandated to develop new water supplies for the Monterey District service area in order to decrease reliance on the Carmel River (pursuant to State Water Resources Control Board Order 95-10 and Cease and Desist Order 2009-0060) and the Seaside Basin (pursuant to the Seaside Basin Adjudication in California American Water v. City of Seaside, et al. (Monterey Superior Court, Case No. M66343). Various options ranging from water conservation measures to a desalinization plant are being explored. Several seawater desalination projects located outside of the City have been proposed that could supply water to the City in the future. In addition, the City's Local Water Project is working to bring the decommissioned wastewater treatment plant back online to use treated water to irrigate the municipal golf course, cemetery, and other uses in lieu of potable water.

Currently, Pacific Grove has extremely limited water to distribute and maintains a Water Wait List. Water is allocated in accordance with Chapter 11.68 of the City's Municipal Code. If a project requires additional water beyond what is allocated by the Monterey Peninsula Water Management District, an applicant may apply to place a project on the Water Wait List. In order to be placed on the list, the project must demonstrate proof of readiness to apply for a building permit. To ensure that unanticipated water demands will not preclude coastal priority uses, Local Coastal Program policies support water conservation and reduction.

The City's main sewer trunk line enters the Coastal Zone at Arena Avenue, from where it follows Asilomar Avenue northward, then Ocean View Boulevard eastward to Monterey. The entire distance along Ocean View Boulevard is force main, and there are six pump stations located along the main between Arena Avenue and the eastern City limits. Most of the Ocean View Avenue force main, and five of the six pump stations between Arena Avenue and the eastern city limit, are within 150 feet of the shoreline. The remaining two pump stations are located in Planning Area VI, and neither of these is located within 150 feet of the shoreline. From Monterey, wastewater is pumped through the regional interceptor to the Monterey Regional Water Pollution Control Agency's treatment plant in Marina. Some of the wastewater treated at the Marina wastewater plant is recycled for irrigation of cropland. Many single-family residences in the Asilomar Dunes neighborhood use individual septic systems and are not connected to the City's sewer system. Connecting to the sewer system is typically triggered with redevelopment, as a condition of the building permit.

The City has significant wastewater infrastructure potentially at risk under combined sea level rise and coastal storm flooding, but duplication of this infrastructure would be infeasible at the current time and relocation to higher elevations would be difficult to accomplish. Phased and prioritized relocation of sewer lines would be more feasible to accomplish and could potentially be coordinated with long-term system maintenance or capital investment. A plan that took into account age and condition of the infrastructure, capacity and functionality of the infrastructure, and susceptibility to damage, would need to be developed in order to establish priorities for system relocation. Measures to safeguard against inundation damage to critical pump station facilities might be necessary as a short-term approach.

3.4.2 Coastal Act Policies - Water Supply, Conservation, and Wastewater

The Coastal Act limits expansion of new public works facilities to those improvements necessary to accommodate planned development or uses permitted by the Coastal Act. Where existing or planned public works can accommodate only a limited amount of new development, priority is given to recreation, coastal-dependent land uses, essential public services, and basic industries vital to the economic health of the region, state, or nation (Public Resources Code §30254).

3.4.3 General Plan and Other Policies - Water Supply, Conservation, and Wastewater

The Pacific Grove General Plan Public Facilities Element notes that Public Facilities Element Goal 1 is to maintain an adequate level of service in the City's water system to meet the needs of existing and future development. Public Facilities water supply policies prioritize available water allocation to best serve the City's needs, to accommodate coastal priority uses, and to ensure the provision of adequate fire flow.

The City has embarked on a Local Water Project. If this project is completed and frees up new local domestic water, the City Council would be tasked with allocating new water. Policies are needed to insure that a portion of the water available to the City for new development is reserved for priority uses within the Coastal Zone (public recreation, coastal-related commercial recreation, coastal-related visitor-serving facilities, and coastal-dependent industry). Non-priority uses (residential, general commercial) within the Coastal Zone would then compete with the uses outside the Coastal Zone for the unreserved water available to the City for development.

The Land Use Plan policies on water supply and conservation that follow, supplement existing City policies and regulations by providing for:

- Reservation of a portion of the City's available water supply for Coastal Act priority use development;

- Permitting new development only when there is adequate existing and long-term water supply to serve the development;
- Using reclaimed wastewater and captured runoff for irrigation and other beneficial uses where feasible; and
- Encouraging native low-water /drought resistant landscaping; to be planted in new development projects in order to conserve water, and require drip or micro-spray irrigation systems for both temporary and permanent irrigation.

3.4.4 Land Use Plan Policies - Water Supply, Conservation, and Wastewater

INF-1. The City Council shall annually review the City's water allocation regulations and procedures, and the status of the City's water reserves. To the extent feasible, the City should reserve a sufficient quantity of water to accommodate coastal priority uses designated by the Land Use Plan from its allotted water supply. 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.

INF-2. Development shall only be approved if it is first clearly demonstrated that the development will be served by an adequate existing water allocation and long-term public water supply.

INF-3. Recycled wastewater shall be used as much as possible to irrigate all golf courses and landscaping areas, to the extent recycled water is reasonably available for such purpose.

INF-4. Wastewater disposal systems which minimize or eliminate marine resource pollution, and which provide for reclamation of wastewater for reuse, shall be encouraged.

INF-5. Development shall only be approved if it is first clearly demonstrated that the additional wastewater discharge associated with such development will not significantly adversely impact coastal resources, including marine resources.

INF-6. When considering new development or redevelopment/renovation projects, the City shall consider the existing property domestic water allocation, the potential for on-site conservation and capture, and available City supplemental water as part of the water allocation.

INF-7. The City shall continue to pursue the development of sustainable water supplies and develop new infrastructure to the extent feasible, within locations not susceptible to coastal hazards.

INF-8. The City shall maximize potential sources of new water by utilizing, where feasible, reclaimed wastewater and captured runoff for open-space irrigation. Development approval shall, as appropriate, include dual piping systems designed to allow for use of reclaimed water for irrigation and toilets in the future.

INF-9. New or expanded water or wastewater facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the Land Use Plan.

INF-10. The City shall consider the relocation of critical water and wastewater infrastructure, as necessary and feasible, to protect those services from the effects of sea level rise and other coastal hazards.

INF-11. The City shall encourage water conservation measures for new development to the greatest possible extent including, but not limited to, the maximum use of water conservation fixtures and equipment (including but not limited to high-efficiency washing machines and dishwashers, recirculation pumps, low-flow showerheads, shower shut-off valves, faucet aerators, etc.),, off-set of proposed water use, drip or microspray irrigation, storm water capture, greywater collection and reuse, and native drought resistant landscaping.

3.4.5 Background – Storm Drainage

The City has five major storm drain lines, all of which collect storm water run-off at higher elevations and dispose of it offshore. Two lines drain westward into the Pacific Ocean and three drain northward into Monterey Bay. Numerous other outfalls serve local drainage areas. The most significant concern of the storm drain lines are the potential for discharge to result in marine resource degradation and the functionality of the outfalls. Storm water outfalls can function above or below the water line, but those discharging below the water line must be designed accordingly. An underwater storm water discharge pipe will be filled with sea water to the tide elevation, and thus capacity for storm water within the pipe will be reduced. Underwater pipes can also collect sand from the ocean, also reducing capacity. An outfall sitting at the tide line would be best designed with a check valve to keep ocean water from entering. In some cases, pumping storm water out of the collection pipe might be desirable to overcome the counter-pressure of sea water and prevent storm water backing up where it reaches the tide level. In all cases, striving for appropriate filtration and treatment of storm water runoff prior to discharge is a priority of the City.

3.4.6 Coastal Act Policies - Storm Drainage

The Coastal Act does not specifically address urban storm drainage systems. For flood control to protect existing development or public safety, channelization and other structures are permitted if no feasible alternatives exist (Public Resources Code §30236). The Coastal Act does require that marine resources and other waterbodies be protected against degradation, and thus issues associated with pollutants in runoff are important Coastal Act considerations (e.g., Public Resources Code §§30230, 302310, 30233 and 30240).

3.4.7 General Plan and Other Policies - Storm Drainage

The Pacific Grove General Plan Public Facilities Element includes two goals relating to accommodation of storm water flows: accommodate runoff and avoiding and mitigating potential pollutants in runoff associated with existing and future development; and prevent property damage caused by flooding.

3.4.8 Land Use Plan Policies - Storm Drainage

Refer also to the Water and Marine Resources policies in §2.2.4.

INF-12. In order to minimize impacts from coastal hazards as well as to avoid impacts to water quality, public access, and scenic and visual resources, there shall be no net increase in beach outfalls and the City shall seek and pursue opportunities to consolidate and/or eliminate reliance on storm water outfalls that convey storm water onto the beach and/or into Monterey Bay or Pacific Ocean. Outfalls that are below sea level, or are likely to be below sea level with sea level rise and/or high storm tides, shall be designed to prevent the entry of sea water and sand to the extent practical, and shall be regularly monitored and maintained to avoid marine resource degradation. Further, 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.

INF-13. The City shall implement, where feasible, "best management practices" (BMPs) in parking areas near the coast to capture sediments and other pollutants, to filter and treat runoff prior to discharge, and to incorporate water quality protection features, such as Low Impact Development designs, into new or upgraded storm water system facilities and adjacent areas.

3.4.9 Background - Transportation

The City's principal traffic circulation system within the Coastal Zone includes Ocean View Boulevard and Sunset Drive as a continuous two-lane scenic drive, and portions of the City's major thoroughfares: Central Avenue and Highway 68. Asilomar Avenue also provides north-south access to the Asilomar State Beach and Conference Grounds and Point Pinos.

A *Pacific Grove LCP Transportation Analysis* prepared by Hatch Mott MacDonald and included in the Local Coastal Program Background Report, found that traffic volumes, as well as tourist and recreation activity, are expected to increase about 20 percent over the next 25 year period. The analysis indicates that for the most part, traffic increases of 20 percent would not be expected to result in significant impacts to traffic operations in the Coastal Zone through 2035. That is not to say that such conclusion will be assured, and it is incumbent on the City to ensure that new development is analyzed for its potential to adversely impact circulation in accordance with the California Environmental Quality Act. The following paragraphs summarize facilities that are explained in more detail in Appendix A.

Transit Service

Non-automobile circulation within the Coastal Zone is provided by Monterey-Salinas Transit Routes 1 (Asilomar-Monterey) and 2 (Pacific Grove-Del Monte Center). Connections to other transit routes that serve the region are provided at the Monterey Transit Plaza, located in downtown Monterey. Route 1 provides service between the Monterey Transit Plaza and Pacific Grove with service to portions of the Pacific Grove Coastal Zone. Locations served by Route 1 include the Asilomar State Beach and Conference Center, Point Pinos Lighthouse and Lovers Point Park. Service is provided on one-hour headways, both weekdays and weekends. Route 2 circulates within Pacific Grove, but does not serve areas within the Coastal Zone. Route 2 interfaces with Route 1 at a stop located at Lighthouse Avenue and Fountain Avenue.

Bicycle Facilities

The Coastal Zone contains the southernmost section of the Monterey Bay Sanctuary Scenic Trail. The Monterey Bay Sanctuary Scenic Trail provides a public trail along the shoreline of the Monterey Bay National Marine Sanctuary, extending between Pacific Grove and Marina, with planned extension into Santa Cruz County. The segment of the Monterey Bay Sanctuary Scenic Trail in Pacific Grove extends between the easterly City limits near Eardley Avenue to Ocean View Boulevard at Lovers Point. It has a paved portion (a Class I Bike Path which is separated from vehicle travel lanes) and an adjacent gravel path designated for pedestrians. The path varies in width from 10 feet to 22 feet. As a shared path, bicyclists, pedestrians, and surreys use the path. Ocean View Boulevard extending from Eardley Avenue to Asilomar Avenue, is a Class III bikeway. A Class III bikeway consists of a shared right-of-way with vehicles in a travel lane.

Ocean View Boulevard-Sunset Drive, between Asilomar Avenue and Seventeen Mile Drive, is striped with Class II bike lanes. A Class II bikeway provides a striped bike lane on the outside of each vehicle travel lane.

Pedestrian Facilities

This critical public resource shall be protected from all adverse impacts including coastal hazards. Sidewalks are provided along most, but not all streets in the Coastal Zone Areas I, II, and III. In Areas IV-A, IV-B, and VI there are typically no sidewalks, but portions of these areas contain pedestrian trails as a part of Asilomar State Beach and Conference Center. Area V consists entirely of the Union Pacific Railroad right-of-way that is currently, and has historically, been used as a walking path by the community. There exists a recreational trail along almost all of the City's shoreline that provides pedestrian access along the shoreline from the City of Monterey to the Del Monte Forest.

Parking

On-street parking can be found in all Planning Areas of the Coastal Zone, except for Area V, which consists only of the Union Pacific Railroad right-of-way. Certain areas have time limitations; however, only Planning Area I currently has any metered parking. There are no parking lots in Areas I or II, and there are 32-space and 17-space lots in Area III near Lovers Point Park. Parking within Planning Areas IV-A, IV-B, and VI are largely shoulder and pullout parking along Sunset Drive; however, Area VI does not have any pullouts. Most of the parking occurs on the roadway shoulder on the ocean side of Sunset Drive. Asilomar State Beach and Conference Center provides parking areas for its users and visitors, as do the businesses in the commercial area. Americans with Disabilities Act compliant facilities are located at various locations. Many of the parking areas are unpaved, and some have experienced erosion as a result. With the exception of the metered parking adjacent to Hopkins Marine Station, the remainder of the coastal access parking along the shoreline (e.g., along Ocean View Boulevard and Sunset Drive) is currently free, some of which is conditioned to be free in perpetuity by prior Coastal Development Permits.

3.4.10 Coastal Act Policies - Transportation

The Coastal Act provides that new development contribute to the improvement of coastal access by facilitating transit, providing non-automobile circulation, providing adequate parking, and correlating residential development with the provision of on-site recreational facilities and adequate local public parks (Public Resources Code §30252). The Coastal Act limits expansion of new public works facilities to those improvements necessary to accommodate new development or uses permitted by the Coastal Act (Public Resources Code §30254).

3.4.11 General Plan and Other Policies - Transportation

The Pacific Grove General Plan Transportation Element supports the present pattern of traffic circulation. The Ocean View Boulevard/Sunset Drive two-lane alignment is maintained to protect adjacent park lands, retain the scenic character, provide public access including parking access, avoid the need to acquire right-of-way, and reduce traffic safety problems where feasible. Some redesign to improve pedestrian and bicycle safety may be sought, and a separate parallel regional recreational trail has been proposed by the Monterey Regional Park District. No major road improvements in the City's Coastal Zone are proposed currently, but improvements to facilitate bicycle and pedestrian movements are envisioned to encourage non-motorized access. Signalization and other traffic improvements may become necessary at certain intersections as additional development takes place. The Pacific Grove General Plan calls for such improvements to be provided by the adjacent development.

3.4.12 Land Use Plan Policies - Transportation

INF-10. The City shall seek to make "complete streets" improvements to the existing circulation system serving the Coastal Zone for expanded use for all users (i.e., pedestrians, bicyclists and transit passengers of all ages and abilities), as well as trucks, buses and automobiles. Utilize one-way streets, where appropriate, bulb-outs and other methods, to encourage "complete streets."

INF-11. Asilomar Avenue shall remain a City thoroughfare providing access to Asilomar Conference Grounds and an alternate coastal access route between Highway 68 and Ocean View Boulevard.

INF-12. Improvements at Ocean View Boulevard/1st Street and Sunset Drive/Asilomar Avenue intersections necessary to improve traffic flow and coastal access should be implemented as funding is available.

INF 13. The City shall require a construction phase traffic control plan for new development that has the potential to disrupt circulation on arterial or collector streets.

INF-14. Transit service and other means of transportation should be increased, where feasible, as a means of providing access for residents without automobiles, increasing the efficient use of coastal access roads, and as an approach to minimize adverse effects from special event traffic.

INF-15. The designation of a continuous bicycle route along Ocean View Boulevard and Sunset Drive, extending from the existing bike route sign at Eardley Avenue and Ocean View Boulevard to the south end of Asilomar State Beach, shall be retained,

and shall be extended to the Seventeen Mile Drive intersection. The City shall seek to upgrade this segment to a Class I bicycle path on the seaward side preferably, or Class II bicycle lanes if a Class I bicycle route is infeasible.

INF-16. New developmentnear popular visitor destinations shall be required to provide bicycle racks to encourage bicycle use.

INF-17. The City shall continue to pursue acquisition of the abandoned Union Pacific Railroad right-of-way, or an alternative route where acquisition is not feasible, to help provide for continued and enhanced recreational trail/open space use.

INF-18. The City shall connect the recreation trail between Cannery Row and Lovers Point to Asilomar State Beach and Spanish Bay.

INF-19. New development in the Coastal Zone shall include adequate off-street parking to minimize the disruption of significant coastal access routes. All traffic impacts associated with new development shall be mitigated appropriately.

INF-20. **T**he City shall improve, relocate, or appropriately manage parking pull-outs along Ocean View Boulevard east of Asilomar Avenue, for the purpose of restoration and protection of "edge" areas and prevention of erosion, consistent with protection of sensitive habitats and encourage walking with the addition of a formal trail that would reduce vehicle and pedestrian conflicts.

INF-21. The City shall coordinate with relevant local, state, or regional, transportation agencies to study the effects coastal hazards and sea level rise and prepare a Sea Level Rise Adaptation Program that identifies adaptation strategies that could be used to address the specific vulnerabilities identified in both the City of Pacific Grove Climate Change Vulnerability Assessment of 2015 and any future studies. The Program shall address the need to protect coastal resources, maximize public access, and maintain adequate evacuation routes as sea level rises, and shall include various options for relocating or protecting circulation facilities in the Coastal Zone, including trails, streets, and bicycle lanes in a way that achieves these goals.

3.5 PARKS, RECREATION, AND PUBLIC ACCESS (PRA)

3.5.1 Background – Parks, Recreation, and Public Access

Public access is one of the major goals of the Coastal Act. The Coastal Act states that "each local coastal program…shall contain a specific public access component to assure that maximum

public access to the coast and public recreation is provided" (Public Resources Code §30500). This section focuses on opportunities to preserve, provide, and enhance public access to the unique and diverse features of the City's shoreline. Parks front the shoreline for most of the Coastal Zone. The City owns four shoreline parks comprising over 23 acres, and additional parkland is owned by the California Department of Parks and Recreation. There is unprecedented public coastal access throughout Pacific Grove's coastal zone. See Figure 3-1, Public Access, included in Appendix A of this LUP.

Several terms are used throughout this section and are defined below:

1. **Shoreline Access** is the provision of pedestrian access and other forms of access ((e.g., bicycle, Americans with Disabilities Act (ADA), stroller, etc.)) from a public thoroughfare and to and along the shoreline.

2. **Lateral Accessway** is an area of land providing public access laterally along the shoreline. Lateral accessways can be on a beach, where contact with the water's edge is possible, or at the rear (water side) of buildings adjacent to the water's edge, or other areas laterally along the shoreline.

3. **Vertical Accessway** is an area of land providing a connection between the first public road, trail, or use area nearest the sea, or a lateral accessway, and the immediate shoreline, beach, publicly-owned tidelands, and ocean

The following discussion describes the major lateral and vertical access areas, and areas providing visual access to coastal waters. Key features described are shown on Figure 7, Coastal Parks, Trails, and Resources.

Area I: Point Cabrillo

Fencing of Stanford University's Hopkins Marine Station to keep the public separated from shoreline research activities has restricted public access to this area's three beaches. The fence serves as a barrier between the City's recreational trail and the sensitive bluff habitat and sensitive beach mammal habitat on Stanford University's property. Of the three beaches within the Stanford University's Hopkins Marine Station property, there is public access to the southern beach, also referred to as Fisher Beach. West Beach, located south of Point Cabrillo, is currently where the majority of the seal pupping takes place in the City. The third beach, the small Agassiz beach, is directly in front of the Julia Platt- Lovers Point Marine Reserve and the Marine Life Observatory. It is isolated from the other parts of the shoreline by rocky outcrops and provides opportunity for recreational use that does not impinge on the permitted research programs that Hopkins conducts in Sanctuary waters adjacent to the beach.

0 1800 feet

Legend

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

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

Figure 7

Coastal Parks, Trails, and Resources

City of Pacific Grove Land Use Plan

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Vertical access to the shoreline at the west end of the Hopkins Marine Station property is provided by an easement required by the City in connection with re-subdivision of a portion of the Hopkins Marine Station property. It is connected to Ocean View Boulevard via a 10 foot wide strip which has been deeded to the City from Southern Pacific Railroad.

Pedestrian use of the recreation trail north of Ocean View Boulevard is continuous and constitutes a major lateral access facility. Negotiations are continuing to acquire the remaining section of right-of-way, with all of the right-of-way through the golf course and cemetery having been acquired for use by the golf course and cemetery operations. The balance of the right-of-way from Lighthouse Avenue to Sunset Drive would be acquired for open space and an informal trail.

Signs directing visitors to the shoreline are located at the 1st Street/Central Avenue intersection, and the Ocean View Boulevard/Eardley Avenue intersection. A "bike route" sign is located on the north side of Ocean View Boulevard, at the foot of Eardley Avenue; this is one of two bike route signs within the Coastal Zone.

A parking lot between Sloat Avenue and Central Avenue, connected by a pedestrian bridge to the American Tin Cannery, provides parking for that development. Ten striped parallel spaces on the south side of Ocean View Boulevard provide additional parking. Street parking is available throughout the area. Unobstructed bay views are available at the inland Coastal Zone boundary along Central Avenue at 1st Street and Eardley Avenue.

Area II: Pacific Grove Retreat

There are no formal or designated accessways in this area, but a path network over the blufftop Shoreline Park provides continuous pedestrian access between Area I and Area III. Vertical access to pocket beaches is available by descending steep paths. Access on the blufftop and headlands and to the beaches is unmanaged. Concerns for user safety deserve attention.

The Union Pacific Railroad right-of-way is currently a recreation trail along its entire stretch through this area. Access to the path is available through Berwick Park and, near 13th Street. Parking along either side of Ocean View Boulevard is available throughout Area II. From Central Avenue there are clear bay views along many of the local streets. The view down Grand Avenue of the rocks at Lovers Point is especially impressive. Along Ocean View Boulevard, continuous views of the bay are available. The undeveloped bluffs and headlands afford fine views of Lovers Point and Monterey.

Area III: Lovers Point

The Lovers Point area contains three beaches – one on either side of the pier, and one just west of the point itself. Stairways have been developed to serve all three beaches, and are connected

by walkways and sidewalks on the blufftop. The beaches are utilized by sunbathers, picnickers, and divers. Access for persons with disabilities is available to the pier and to the beach south of the pier.

A path system commences at Lovers Point and continues westward to Perkins Park. Benches are located along the paths at several locations west of 17th Street. Small steps at the Ocean View Boulevard curb line provide direct access to the paths. Maintenance of the trails and vegetation has resulted in little danger to the blufftop habitat; however, erosion potential could be reduced by directing pedestrians to beach stairways. Access to the pedestrian path on the old railroad right-of-way is available from the parking lot at the foot of Forest Avenue and 16th Street.

On-street parking spaces are available on 17th Street, on the north side of Ocean View Boulevard between Grand Avenue and 17th Street, and on the north side of Ocean View Boulevard. Besides the on-street parking spaces, a parking lot is located at the Ocean View Boulevard/17th Street intersection. Some parking spaces in this lot are designated for use by persons with disabilities. This parking lot is located at the westerly terminus of the Monterey Bay Sanctuary Scenic Trail.

In addition, a small parking lot with a two-hour time limitation that contains 17 diagonal, curbside and interior parking spaces is located on the outside of the roadway curve between 17th Street and Ocean View Boulevard. Two of the spaces in this parking area are designated for use by persons with disabilities. A handicapped-accessible curb ramp located between these two spaces provides access to a pedestrian trail that connects to Lovers Point Park and overlooks the shore land area.

Views of the bay are generally continuous along Ocean View Boulevard. Lovers Point Park and Perkins Park provide numerous prime bay vantage points for the pedestrian. Bay views are also available to guests of multi-level motels along Ocean View Boulevard.

Area IV-A: Ocean View Area

A continuous path network runs the length of this portion of Perkins Park, from Lovers Point to Asilomar Avenues, providing a blufftop pedestrian link between Areas III and IV B. Numerous benches are located along the paths.

At four points (near the foot of Coral Street, Beach Street, Shell Avenue, and Palm Avenue) stairways provide vertical access to small beaches. Currently, free parking is unrestricted in this area. Four pullouts on the bay side of Ocean View (at Sea Palm Avenue between Beach Street and Shell Avenue; at Otter Point between Acropolis and Coral Streets; and between Asilomar Avenue and Acropolis Street) provide additional parking. Picnic facilities are located at the Asilomar/ Acropolis pullout.

There is a Class III (shared right-of-way) bicycle route in this area. Unrestricted bay views are available from Ocean View Boulevard, and from the paths and auto pullout areas in Perkins Park. Otter Point affords a popular vantage point for viewing the bay.

Area IV-B: Point Pinos

In this area, owned by the City and the United States Government, an informal path continues from the west end of Perkins Park, westward along the headlands and then southward to the last Ocean View Boulevard pullout, near the third hole of the municipal golf course. Pedestrian access to the beaches is readily available. Unmanaged pedestrian access in the headlands area has resulted in considerable trampling of vegetation.

Parking in the pullouts in this area is varied, with some vehicles parked at the very edge of the headlands. Impacts of parking to the bluff vegetation, and resulting erosion is evident in several areas. Vehicle parking also occurs on the shoulder of Ocean View Boulevard, adjacent to the dunes. Inland of Ocean View, parking is available on the Lighthouse grounds, and also on Asilomar Avenue at the entrance to the Lighthouse grounds There are no parking restrictions in Area IV.

Signs stating "Marine Refuge" (marine protected area) are located at the Ocean View Boulevard pullout at the foot of Asilomar Avenue, and on Ocean View at the foot of Lighthouse Avenue. Three informational signs concerning sensitive habitat for Black Oystercatchers and marine mammals have been placed within the Point Pinos area by the Bureau of Land Management's California Coastal National Monument. The California Coastal National Monument rocks, exposed reefs, islands, and pinnacles are managed to protect biological, geological, cultural and visual resources. Signs prohibiting water contact activities and climbing on the Point Pinos rocky headlands are located on the beach opposite the former location of the United States Coast Guard fog horn that was removed in 2011. Visitor-directional signs are located at the Asilomar/Lighthouse Avenues intersection, and directly in front of the lighthouse entrance on Asilomar Avenue. Unrestricted bay/ocean views are available from Ocean View Boulevard, as well as from the Asilomar/Lighthouse Avenues intersection at the southeast corner of Area IV.

Area V: Union Pacific Railroad

In 1982, a joint powers agency consisting of the cities of Pacific Grove and Monterey, together with the Monterey Peninsula Regional Park District acquired the portion of the abandoned Union Pacific Railroad right-of-way between Custom House Plaza (Monterey) and Lovers Point. In 1984, the portion of the right-of-way between the Monterey Bay Aquarium and Lovers Point was developed as a recreational trail for pedestrians and cyclists. The remainder of the right-of-way was not purchased at the time.

The former right-of-way at the mobile home park is now privately owned. The route of the right-of-way from the mobile home park at Lovers Point passes through the City golf course and then through areas developed with single- and multi-family homes and motels. No ocean views are available from the right-of-way. Access to the right-of-way is provided at the various road intersections with the railroad tracks, from Del Monte Boulevard to Pico Avenue. However, because the right-of way is now privately owned at the mobile home park and also passes though the golf course, the City should study the realignment of this proposed trail system to connect Lovers Point to Asilomar and Spanish Bay.

Area VI: Asilomar

Dunes within the Asilomar State Beach and Conference Grounds are continually subject to moderate or heavy recreational use, depending on location. Interpretive signs have been used with limited success to guide people away from sensitive areas. A striped pedestrian way crosses Sunset Drive.

Development of the proposed recreational trail along the railroad right-of-way would provide an additional access opportunity. The only public parking facilities in the area are those at the Asilomar State Beach and Conference Grounds, including along the road. There are no restrictions on street-side parking in Area VI. Visitor-directional signs are located at the Asilomar Avenue intersections with Sinex Avenue and with Sunset Drive. There is an on-street bike lane at Asilomar along Sunset Drive out to Highway 68.

With the exception of the Sunset Service Area, any new development within this area will be on the inland side of Sunset Drive. Consequently, there is no possibility for development to interfere with ocean views from the portion of the road north of the Sunset Service Area. The Asilomar State Beach and Conference Grounds' dune areas adjacent to Sunset Drive possess considerable visual interest, and should be protected.

Asilomar State Beach makes up the majority of this planning area's shoreline lands. Two single-family residences are situated between the northern boundary of the State Beach and the southern boundary of Point Pinos' open shorefront lands. Lateral access is provided across both of these properties, providing for a continuous public trail connection between the Lighthouse Reservation shoreline area and Asilomar State Park shoreline area on either side of the residences, respectively. A continuous trail network, providing both lateral and vertical access opportunities, extends the length of the State Beach property.

There are no designated public parking facilities within Area VI. Currently public vehicle parking occurs on the shoulders and pullouts along Sunset Drive, with the heaviest concentrations occurring south of Pico Avenue. There are no restrictions on parking, other than overnight parking. For a considerable distance, large rocks have been placed along the east side of Sunset Drive to prevent automobile intrusion onto State park property. Signs identifying the

State Beach, warning of rip current hazards, and prohibiting camping and unleashed dogs are located at frequent intervals along Sunset Drive.

Continuous unobstructed ocean views are available from Sunset Drive, except at the two residences opposite Jewell Avenue and in the area of the Sunset Service area. Remaining undeveloped dune lands in the Asilomar dunes area, on the inland side of Sunset Drive, serve to lessen the contrast between existing development and the undisturbed open space of Asilomar State Beach and Asilomar Conference Grounds. Maximum retention of open areas within the Asilomar dunes will help protect the visual qualities of this area.

3.5.2 Coastal Act Policies – Parks, Recreation, and Public Access

The Coastal Act requires that each Local Coastal Program contain a public access component (Public Resources Code §30500(a)). Other Coastal Act policies address public access, specifically requiring that any development occurring within the Coastal Zone shall not interfere with the public's right of access. In addition, new development must provide access from the nearest public road to the shoreline so long as it is not inconsistent with public safety, military security needs, or protection of fragile coastal resources (Public Resource Code §§30210 through 30212).

Public facilities shall be distributed throughout an area in order to mitigate against impacts of overcrowding or overuse of any single area. In addition, new public works facilities must accommodate needs generated by development consistent with the provisions of the Coastal Act (Public Resources Code §§30212.5, 30252, and 30254).

3.5.3 General Plan and Other Policies – Parks, Recreation, and Public Access

The Pacific Grove General Plan Parks and Recreation Element contains numerous policies and recommendations regarding preservation of open space lands for the purpose of providing outdoor recreation. The Land Use Plan provides specific policies or recommendations regarding the provision of public access to the shoreline. The Land Use Plan policies on parks, recreation, and public access that follow supplement existing City policies and regulations by providing for specifics on coastal access and recreation.

3.5.4 Land Use Plan Policies – Parks, Recreation, and Public Access

PRA-1. The City shall strive to provide safe and adequate access to and along the City's shoreline and other points of public interest. The City shall, to the maximum extent feasible, maintain a continuous pedestrian coastal trail, the length of the City's Coastal Zone, seaward of Ocean View Boulevard/Sunset Drive. The City shall adopt trail design standards, including width, pitch, surface condition, erosion control,

proximity to the mean high tide line, and potential effects of sea level rise, , including but not limited to temporary flooding, storm waves, erosion, and permanent inundation, when carrying out trail maintenance and/or upgrade activities. The City shall also take into consideration designs and mitigations of potential adverse impacts to the California Coastal National Monument resources from public use and access. All public access trails and related development shall be sited and designed to effectively integrate into the natural shoreline aesthetic as much as possible.

PRA-2. The City shall enhance access to its shoreline, while maintaining the Coastal Zone's unique character, by reducing the impact of automobiles. This shall be accomplished, in part, by encouraging use of public transit within the Coastal Zone, and by providing non-vehicular Coastal Zone access opportunities for bicycles and pedestrians. When considering a Coastal Development Permit application for any development that could reduce or degrade public parking opportunities near beach access points, shoreline trails, or parklands, including any changes in parking timing and availability, evaluate the potential impact on public coastal access, and existing levels of public access are maintained, including through ensuring that alternative access opportunities, including bike lanes and parking, pedestrian trails, and relocated vehicular parking spaces, are provided so as to fully mitigate any potential negative impacts and maximize access opportunities.

PRA-3. Appropriate signing should be considered for popular visitor destinations and access points in conjunction with other sign programs under coastal access and habitat protection policies. However, excessive signs and other visually intrusive landscape features shall be avoided. Any sign that could reduce public coastal access, including signs limiting public parking or restricting use of existing lateral and/or vertical accessways, shall require a coastal permit. The City shall develop a coordinated sign program for the City's shoreline area to ensure consistency of information and presentation, and to ensure that such signs effectively integrate into the shoreline with the least amount of impact to public views. The City may incorporate metered parking in selected areas so as to develop a fund for this program

PRA-4. The City shall continue to implement the Coastal Parks Plan, a component of the Local Coastal Program Land Use Plan, for the Pacific Grove coastal parklands, including the Lighthouse Reservation. The purpose of the Coastal Parks Plan as it relates to shoreline access is to:

a. Provide improved and enhanced accessways and control unrestricted parking by use of appropriate barriers or other means, consistent with the visual resource and public access protection policies of this plan;

b. Improve the existing sign program to include interpretive information pertaining to public safety, public access, protection of sensitive habitats, and special natural or man-made features;

c. By regulating public use and access to the shoreline, prevent overuse and damage to biological, cultural, geological, and visual resources by developing regulations concerning maximum public usage; and

d. Provide standards for maintenance, management, and development of the City's coastal parklands in a manner consistent with the Resource Management policies of the Land Use Plan.

PRA-5. As part of the planning process for any updates to the Coastal Parks Plan, and/or as part of the Coastal Development Permit review process for any development within the Planning Areas identified below, the City shall analyze the potential impacts of coastal hazards and sea level rise, and identify opportunities to ensure continued public access over time. The City shall also consider the following opportunities:

a. Planning Area I: Encourage Hopkins Marine Station to maintain a low profile, low visibility fence or barrier that is sited and designed to limit public view degradation as much as possible. Pursue opportunities to provide lateral and vertical access along the Hopkins shoreline as much as possible 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;

b. Planning Area II: provide well-defined trails along the bluffs with stairways to provide access to the water and direct recreation to Berwick Park, but balance the need to protect Environmentally Sensitive Habitat Areas;

c. Planning Areas III and IV: create formal trail network and restore native vegetation 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;

d. 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 automobile and pedestrians/cyclists (e.g., ingress/egress direction, etc.);

e. Planning Area VI: on state-owned lands west of Sunset Drive, educe habitat damage by vehicles and reduce conflicts with pedestrians/bicyclists;

f. Planning Areas I, II, III, IV and VI: develop an accessways maintenance program for all existing and new shoreline accessways;

g. Delineate specific tour bus pullout areas and tour bus parking elsewhere should be prohibited;

h. Consider relocation or renovation of parking areas to reduce erosion; and

i. 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 stones 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.

PRA-6. Excessive signs and other visually intrusive landscape features shall be avoided.

PRA-7. The City shall encourage the state to continue to implement the Resource Management Plan for Asilomar State Beach and Conference Grounds to the extent its implementation is consistent with the Local Coastal Program and the Coastal Act and to include provisions for designated accessways which are both safe and non-disruptive of sensitive habitats.

PRA-8. 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.

PRA-9. 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.

PRA-10. 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.

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