



MEETING MINUTES

CITY OF PACIFIC GROVE

PLANNING COMMISSION

REGULAR MEETING AGENDA

6:00 p.m., Thursday, June 16, 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. Called to order at 6:00 p.m.

2. Roll Call

Commissioners Present: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Mark Chakwin (Secretary), Bill Fredrickson (Chair), Don Murphy, Nicholas Smith

Commissioners Absent: None.

3. Approval of Agenda

On a motion by Commissioner Byrne, seconded by Commissioner Bluhm, the Commission voted 7-0-0 to accept the agenda as presented. Motion passed.

4. Approval of Minutes

a. June 1, 2016

Recommended Action: Approve minutes as presented

b. June 2, 2016

Recommended Action: Approve minutes as presented

On a motion by Commissioner Chakwin, seconded by Commissioner Smith, the Commission voted 6-0-0-1 (Aeschliman abstained) to accept both June 1 and June 2, 2016 meeting minutes with corrections. Motion passed.

5. Public Comments

a. Written Communications

All received written communication related to Item 7.a.

b. Oral Communications

Ms. Lisa Milligan spoke against a Code Compliance complaint about on premise parking at her residence at 810 Congress Ave. She offered historical and current perspectives on why she believes that she is in compliance with current Code regulations

6. Consent Agenda

None.

7. Regular Agenda

a. Local Coastal Program (continued from June 2, 2016).

Description: Local Coastal Program certification.

CEQA Status: Exempt per CEQA Guidelines

Staff Reference: Anastazia Aziz, AICP, Senior Planner & Mark Brodeur, Community and Economic Development Director

Recommended Action: Recommend adoption of the City's Local Coastal Program to the City Council and submission of the Local Coastal Program to the California Coastal Commission for certification.

Continued from June 2, 2016.

Anastazia Aziz, Senior Planner and Mark Brodeur, Direction provided a presentation on the Local Coastal Program with an emphasis on the Implementation Plan. Director Brodeur provided possible timelines for City's consideration of the Local Coastal Program (LCP), including Land Use Plan (LUP) and Implementation Plan (IP). (*Please see audio recording for further details*).

- Commissioner Byrnes asked for clarification regarding the specific 20-foot elevation line mentioned in the Implementation Plan.
- Commissioner Blum asked why certain properties were not identified in the Implementation Plan. Staff noted that many properties were outside of the Coastal Zone boundaries.
- Commissioner Murphy asked about the Local Water Project in relation to the Implementation Plan.
- Chair Fredrickson asked if privacy fencing discussions were addressed with recent Coastal Commission permits in the Asilomar Dunes area. Staff replied that no such discussions had occurred.
- Commissioner Murphy noted the Coastal Commission meeting in August is likely to be held in Pismo Beach or Santa Cruz rather than Monterey.

The Chair opened the floor to public comment. The following members of the public spoke:

- Ms. Kathryn Poling, Asilomar Dunes resident, requested additional time for the LCP review process. She noted some inconsistencies between the IP and the LCP, and expressed concerns regarding fencing and development proposals in the Asilomar Dunes neighborhood.
- Mr. Dale Ellis, attorney for the Russell Service Center (RSC), noted that the 40' height limit is a suitable preference for the RSC area. He recommended modeling

or doing a test trial for current projects using the proposed LCP/IP. He noted some inconsistencies within the IP and LCP documents. He expressed concerns about the LCP's definition of "development," and recommended using the Coastal Commission definition. Finally, he noted that many terms in the draft regulations need to be defined (e.g. "protected," and "preserved").

- Mr. James Smith, architect, requested additional time for the LCP review process. He expressed concern about the lack of clarity on treatment of pre and post Coastal Act properties. He suggested that there are three classes of development to be managed under the LCP/IP and noted that he provided a letter with concrete details and recommendations.
- Ms. Katherine McDonald, Asilomar Dunes resident, noted her house predates the California Coastal Commission's Coastal Act and was concerned about BIO-30 and other provisions that appear punitive to long-term Asilomar Dunes residents. She also was concerned about the lack of scalability in development for different projects. Finally, she noted that replacing non-water using ice plant with native plants requires more water initially, and that landscaping and other provisions appear punitive or not sensible.
- Mr. Tom Tipton, Asilomar Dunes resident, agreed with Ms. McDonald's comments. He expressed concern about Coastal Commission directives that may damage existing dunes that have been healthy for more than 60 years. He noted the value of ice plants to preserving dunes, and contrasted it to replanting with native plants as directed by Coastal Commission. He expressed concern that remodeling old houses may result in damaging well-preserved dunes. He also noted that the LCP approval process requires additional time. Finally, he expressed concern that many residents may not be fully aware of the LCP requirements.
- Ms. Judith Mead, Asilomar Dunes resident, expressed agreement with prior speakers. She stated that the approval process needs additional time. She stated that she has lived in her house for over 43 years where development was first authorized by the County before being annexed into the City, and therefore her property is outside of typical building and lot size standards. She expressed concern about her existing fence, sheds, and house height in regards of the LCP/IP standards. She agreed with others that the regulations appear to penalize existing residents, and also believes more work must be done on the plan prior to approval.
- Mr. and Mrs. Greg and Stephanie Edenholtz, Asilomar Dunes residents, provided a personal anecdote on their attempt to put in a fence on their property. The city had approved the fence, but the owners had not cleared it with Coastal Commission which demanded that they remove the fence or face a penalty of fine. They requested the additional time to review the LCP requested that residents' views be incorporated into the plan. They concluded that their property and the adjoining have a driveway easement that should be considered in terms of the

plan as well.

- Ms. Melissa Neuland expressed concern for consideration of low-cost accommodation facilities. She requested more details on this topic and recommended that the plan add more details and guidance on this topic.
- Ms. Inge Lorentzen Daumer, resident, noted that the corrections of the zoning designation for the area near Sloat Avenue had been made. She requested additional time to review the LCP. She expressed concern regarding the beautification and traffic calming project entering Pacific Grove from Monterey, and also expressed concern that new development of the American Tin Cannery (ATC) and the area on the border with Monterey blurred the distinction between Monterey and Pacific Grove.
- Mr. Luke Coletti, resident, referenced his letter to the Planning Commission about concerns for the ATC development standards. He requested additional time to review the LCP. He opined that Project Bella may be accelerating the review process faster than what is appropriate, and recommended more community involvement with the LCP. Also, more time should be spent reading Dr. David Revell's report on sea level rise, and ensure that it is incorporated into the LUP and IP ordinances.
- Mr. Tony Ciani, resident, pointed out inconsistencies between the LUP and IP; and that much of the local community input has not been incorporated, particularly regarding natural resources and particularly marine resources. He reminded the Commission that developing an LCP is not a fast process and requires more time to complete it correctly. Moreover, as the city nears completion, the process should slow down for a close examination to eliminate inconsistencies and to ensure the processes stated in the LCP will be effective. This is critical because taking over the Coastal Commission responsibilities for managing the coast is important and challenging.

The Chair closed the floor to public comments.

The Commission discussed the item.

Commissioner Byrne provided a comment on low cost accommodations. She noted that Coastal Commission policies have made it economically infeasible to achieve low cost accommodations.

Commissioner Chakwin noted the IP does not appear to be a regulatory reflection of the LUP. He stated that the Coastal Commission meeting in August 2016 may not be in Monterey, and disagreed that it is vital to present the City's LCP in the August meeting. He supported public comment noting the importance of slowing but not stopping the review process, and stated that more deliberation is required.

Commissioner Murphy asked whether there are differences in development standards for

properties built before or after the Coastal Act. Staff noted the Coastal Commission has sought to remove this distinction and focus exclusively on development).

Commissioner Murphy noted that if major changes (over 50%) for an older home were planned, the public may be concerned. He questioned whether requiring older houses to comply with current regulations might be an onerous burden for homeowners to meet. Staff noted that homeowners currently complete this process and need to obtain both City and Coastal Commission approval, regardless of property age. However, staff also noted that 50% redevelopment is the trigger for requiring that a house or project to be brought completely up to current code, while redevelopment of less than 50% do not have this condition. Moreover, this standard is not unusual in many jurisdictions.

Commissioner Byrne noted that there is a significant difference in the definition for “demolition” between the draft plan and the city’s current definition. She stated these differences would be problematic and an important consideration to examine.

Commissioner Aeschliman asked if the plan were to be certified, and if the Planning Commission were to become the decision-making body for development in the City’s Coastal Zone, would the Commission still have the same discretion to grandfather legal non-conforming development? Staff replied yes, as long as the action does not trigger the definition for development or redevelopment.

The Planning Commission continued their review and discussion, and focused on the specific changes to the Land Use Plan discussed at the June 1 and June 2, 2016 Planning Commission meetings. *(Please see audio recording for further details).*

On a motion by Commissioner Chakwin, seconded by Commissioner Byrne, the Commission voted 7-0-0 to continue the item to a Special Meeting at 4:00 P.M. on July 7, 2016. Motion passed.

8. Presentations

None.

9. Reports of PC Subcommittees

None.

10. Reports of PC Members

None.

11. Reports of Council Liaison

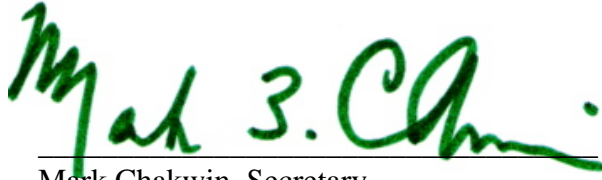
None.

12. Reports of Staff

None.

13. Adjourned at 9:45pm.

APPROVED BY PLANNING COMMISSION:



Mark Chakwin, Secretary

August 10, 2016

Date