



MINUTES

CITY OF PACIFIC GROVE PLANNING COMMISSION SPECIAL MEETING

4:00 p.m., Thursday, July 7, 2016

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

1. Call to Order - 4:00 p.m.

2. Roll Call

Commissioners Present: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Bill Fredrickson (Chair), Don Murphy, Nicholas Smith (arrived at 4:07pm)

Commissioners Absent: Mark Chakwin (Secretary)

3. Approval of Agenda

4. Approval of Minutes

a. June 16, 2016

Recommended Action: Approve minutes as presented

On a motion by Commissioner Murphy, seconded by Commissioner Smith, the Commission voted 6-0-0-1 (Commissioner Chakwin absent) to accept the June 16, 2016 meeting minutes as presented. Motion passed.

5. Public Comments

a. Written Communications

All received written communication related to Item 7.a.

b. Oral Communications

Ms. Sally Moore spoke that in the Ordinance 15-018 #3, the street with four parking spaces on the east side of the post office should be corrected from Congress Avenue to Central Avenue. She also stated that the current signage for parking time limits for those four parking spaces should be corrected from 3 hours to 90 minutes.

6. Consent Agenda

a. Acceptance of Historic Resources Committee meeting minutes:

- i) June 22, 2016

7. Regular Agenda

a. Local Coastal Program

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 16, 2016.

Commissioner Bluhm provided a summary of the Asilomar Dunes neighborhood meeting earlier the morning. He stated that many members of the public stated their feelings regarding the Coastal Commission, and that the Planning Commission is working to speak for the neighbors.

The Chair opened the floor to public comments regarding the Asilomar Dunes neighborhood. The following members of the public spoke. *(Please see audio recording for further details)*

- Donald Redgwick, resident, expressed concern of the definition of Environmentally Sensitive Habitat Area (ESHA), and expressed concern of development regulations and plant installation requirements for properties in the ESHA. He also expressed concern of "taking" and fencing requirements.
- James Smith, architect, provided a letter and expressed concern about outdoor living spaces as proposed under BIO-23. He expressed a concern of restoration of dunes resulting in "taking", as well as BIO-29 regarding existing non-conforming residences where Coastal Commission agreed to reduce coverage but allow structures to be improved. He discussed BIO-30 resulting in cumulative hardships over time, including seismic retrofits.
- Tony Ciani, resident, requested there be a discussion of the definition of "taking". He stated that he understood if property owners have a beneficial use of open space, then it is not a "taking." He stated that in 1972, the general public voted in favor of a Coastal Act, and suggested property owners take a proactive stance to implement policies. He discussed a list of policies for the Asilomar Dunes neighborhood which includes defining areas that could be improved.
- Kathryn Poling, resident, provided a letter she had sent to the Planning Commission. She discussed how pre-existing structures in existing footprints, even if not conforming, should be allowed to remodel without reducing their footprint to the 15/5 rules, and rather should be grandfathered in. She stated that the definition of outdoor living area should be private yard rather than dune areas, and expressed concern about fencing.
- Janet Cohen, resident, spoke about the importance of Asilomar Dunes neighborhood. She provided photographs of homes before and after regulations came into effect in 1989, and stated that the height and setback limits created helped to positively contribute to protecting the scenic area. She stated that homes built prior to 1989 should have special considerations, such as being allowed to rebuild within existing footprints.

The Chair closed the floor to public comments.

The Commission discussed the plan in detail, including:

The Commission decided that under BIO-23, fencing for private yard space adjacent to a home may be a minimum of 1,000 square feet or 5%, whichever is greater. The Commission also agreed that private yards may be excluded from dune restoration requirements.

The Commission decided that BIO-29 will be reworded to clearly state that non-conforming means legal non-conforming, and that properties should be allowed to build out to the allowable limit.

The Commission decided that DES-8 should be removed.

The Commission decided that Page 3-26, second paragraph under Section 3.4.3 under “General Plan and Other Policies – Water Supply, Conservation, and Wastewater Language” the paragraph may be removed.

The Commission decided that on Page 3-20, first paragraph, the name should be David Jack and the year should be 1859 rather than 1959.

The table under 23.90.010 regarding zoning will be clarified.

Under 23.90.020 Definitions, subsections (a) and (b) under for “Accessory Use” will be removed. Under “Climate Change,” the text “whether due to... human activity” will be removed. Under “Coastal Development Use,” the words “at all” will be removed. “Director” will be defined as the Director of Community & Economic Development Department. Under “Historic Structure Demolition,” the words “historic buildings” will be replaced with “buildings on the Historic Resources Inventory.” Under “Projected Inundation Level,” the words “permanently drowned” will be replaced with “permanently submerged,” and all text after “submerged” will be deleted. The definition of “Public View” will match the definition found in the Land Use Plan. The definition of “Redevelopment” will match the definition and changes made in the Land Use Plan to be consistent. Staff will create a clear map for the appeal area.

Under 17.32.020 Coastal Permit Requirements, subsection (A)(5) and (B) will be removed. Subsection (B) will be changed to a number. The exemption of guest-houses will be moved from the body to a numbered subsection. Subsection (E) will be removed as time-share projects are not allowed.

Under 17.32.030 Coastal Permit Exemptions, subsection (B)(5) will be removed. Under 17.32.030 subsection (D)(1)(c), the word “exterior” will be added before “materials”. Under 17.32.030 subsection (E), the language will be revised to ensure legal non-conforming structures may be rebuilt. Subsection (F) will be removed. The sentence “the event will not... in this period” under Subsection (G)(1) will be replaced with a sentence that will start with “will be of less than two days...” and will be reviewed by the city

attorney.

Under 17.32.030(A)(2), the text “and all contiguous properties under the same ownership” will be removed.

Under 17.32.090(C)(3)(b), the appeal body for a Coastal Development Permit issued by Coastal Commission will be clarified.

Under 17.32.100 subsection (A), the date will be corrected to 10 calendar dates. Under subsection (B), the number and length of extensions permitted will be clarified.

Under 23.90.220 subsection (2) and (c)(6), the text will be revised to match HAZ-12 and 3 inch rise trigger, and will require Initial Hazards Assessment. Subsection (c)(9) will be revised to align with the Land Use Plan policy. Subsection (c)(11) will replace “three years” with “five years”. There will be a new policy in the Land Use Plan for improved exit routes in emergencies.

Under 23.90.230 subsection (a)(1), more information regarding tide pools will be included. Under subsection (a)(5)(A), the phrase “or other alternative that provides visual access” will be included after “wood lattice fencing.” Under subsection (p), the second sentence “Permanent irrigation...bluffs” will be removed. In the following sentence, the word “temporary” will be replaced by “Irrigation.” The “Purple Carpet” will receive an exemption.

The Commission voted 6-0-0-1 (Commissioner Chakwin absent) to continue the item to a Special Meeting to be held on July 28th, 2016 at 6:00 P.M. 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. Adjournment at 8:25pm.