



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

AGENDA

SITE PLAN REVIEW COMMITTEE

DATE & TIME: Wednesday, January 27, 2016—12:00 P.M.

LOCATION: CITY HALL, CITY COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE

Copies of the agenda are available for review at the Community and Economic Development Department, upstairs in City Hall at 300 Forest Avenue, Pacific Grove.

AGENDA

1. ROLL CALL

Site Plan Review Committee: Mark Brodeur, Daniel Gho, John Kuehl, David Reade, Jessica Khan

2. COMMENTS FROM THE PUBLIC

(Comments from the audience will not receive Committee action. Comments may concern matters either on or not on the agenda, but must deal with matters subject to the jurisdiction of the Site Plan Review Committee.)

3. PROJECT ADDRESS: 122 17th Street / 124 17th Street

APPLICATION NO.: Lot Line Adjustment Application No. 15-708

APPLICANT(S): Jon Dunphy & Jeff Davi

CEQA STATUS: Categorical Exemption, Section 15305(a), Class 5

PROJECT DESCRIPTION: Lot Line Adjustment (LLA) 15-708 to allow a modification of lot line between 124 17th Street (APN 006-153-012) and 122 17th Street (APN 006-153-018) for a total lot size of approximately 2,400 square feet each.

The Site Plan Review Committee will be considering the lot line adjustment based on the standard findings and conditions listed below. The Site Plan Review Committee may elect to perform a site visit as

part of this meeting. If so, the site visit is also part of the public meeting process and interested members of the public may attend.

4. ADJOURNMENT

NOTE: The City of Pacific Grove does not discriminate against individuals with disabilities and meetings are held in accessible facilities. The Community and Economic Development Department Conference Room is an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community and Economic Development Department Staff at (831) 648-3183.

STANDARD FINDINGS AND CONDITIONS FOR LOT LINE ADJUSTMENTS

1. Per Municipal Code Section 24.04.030, the lot line adjustment is *“between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, where a greater number of parcels than originally existed is not thereby created, and where merger is not required for such parcels under this section.”*
2. The lot line adjustment conforms to the City’s General Plan, zoning ordinance and building ordinance, including minimum building site area and parking requirements.
3. The lot line adjustment is consistent with the provisions of Section 66412(d) of the Subdivision Map Act.
4. The project does not affect street improvements that are in place to control and provide for the movement of traffic;
5. The project does not have a negative effect on pedestrian movement on/or adjoining the site;
6. The project does not affect the safe and sanitary control of surface or subsurface drainage;
7. The project does not result in the need for refuse storage or disposal;
8. The project does not result in the need for on-site parking;
9. A Deed Restriction of the lot line adjustment shall be filed with Monterey County Recorder within 30 days of the Site Plan Review Committee approval.

NOTICE TO APPLICANTS

- **Appearance by Applicant/Representative:** Applicants or their representatives must be present at the meeting for which their item 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.
- **Appeals and Appeal Period:** Decisions rendered may be appealed using a form available at the CEDD. The appeal form, plus an appeal fee, must be filed with the CEDD within 10 days of the action being appealed.
- **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.
- **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**

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

Tel : 831.648.3190 • Fax : 831.648.3184 • www.cityofpacificgrove.org/cedd

Permit Application

Application #

LLA 15-708

Date:

11.9.15

Total Fees:

\$1,881.00

Received by:

DG**Property/Project Information:**Project Address: 122 17th StreetAPN: 006-153-018Zoning: R-1Lot: 22Block: 51

Tract: _____

☐ Historic Resources Inventory☐ Archaeologically Sensitive Area**Project Description:**

LOT LINE ADJUSTMENT TO GIVE TO NEIGHBORING PARCEL (LOT 24)
APPROXIMATELY 30' x 20' FEET OF SUBJECT PROPERTY THAT
NEIGHBOR HAS A STRUCTURE - GARAGE + APARTMENT OVER.

Applicant/Owner Information:Applicant Name: Jon Dunphy / Jeff DaviPhone: 831-594-3290Mailing Address: 501 Lighthouse Ave

Agent

PACIFIC GROVE 93950Email Address: Jeff.davi@CBNORCAL.comOwner Name: Jon DunphyPhone: 925-785-4415

Mailing Address: _____

Email Address: glaciermedical@sbcglobal.net**Permit Request:**☐ CRD: Counter Determination☐ AUP: Administrative UP☐ IHS: Initial Historic Screening☐ AVAR: Administrative VAR☐ AP: Architectural Permit☐ UP-A: UP Amendment☐ HPP: Historic Preservation☐ VAR-A: VAR Amendment☐ AAP: Administrative AP☐ AUP-A: AUP Amendment☐ HD: Historic Determination☐ AVAR-A: AVAR Amendment☐ ADC: AP Design Change☐ SU: Second Unit☐ TPD: Tree Permit W/ Dev't☐ MMP: Mitigation Monitoring☐ SP: Sign Permit☒ LLA: Lot Line Adjustment☐ PUU: Undocumented Unit☐ Stormwater Permit☐ UP: Use Permit☐ LM: Lot Merger☐ VAR: Variance☐ Other:**CEQA Determination:**☒ Exempt☐ Initial Study & Mitigated
Negative Declaration☐ Environmental Impact
Report**Review Authority:**☐ Staff☐ HRC☐ ZA☐ PC☐ SPRC☐ CC☐ ARB☐ _____**Active Permits:**☐ Active Planning Permit☐ Active Building Permit☐ Active Code Violation

Permit #: _____

Overlay Zones:☐ Butterfly Zone☐ Coastal Zone☐ Area of Special Biological
Significance (ASBS)☐ Environmentally Sensitive
Habitat Area (ESHA)**Staff Use Only:**

PLANNING STAFF USE ONLY:

APPLICANT/OWNER:

CERTIFICATION – I, the undersigned, under penalty of perjury, depose and certify that I am the applicant for this request, that the property owner approves this application and that all statements contained herein, including all documents and plans submitted in connection with this application, are true and accurate to the best of my knowledge.

Applicant Signature: _____

Date: 10/31/2015

Owner Signature (Required): _____

Date: 11/5/15



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Community Development Department - Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

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Permit & Request Application

for Lot Line Adjustment (LLA), Lot Merger (LM) or Subdivision (SUB)

App. # LLA 15-708

Engineer/Surveyor or

other designated representative

Address

Daytime Phone #

Email Address

RASMUSSEN LAND Surveying - (PLS 5958)
2150 GARDEN ROAD SUITE A3 MONTEREY CA 93940
831-375-7240
GARDEN @ RASMUSSEN LANDS.COM

I. Deed Restrictions (attach copy of restrictions, if available):

a. What Deed Restrictions are presently effective on the property and pertain to the proposed request?

SEE ATTACHED

II. Owner's Certification:

a. I/We JOHN & CHRISTY DUNPHY being first duly sworn, depose and say: That I/We am/are the owner(s) in the above application and know the contents thereof; that the property has been surveyed and all lot corners staked as required by the City of Pacific Grove; that the same is true of my/our knowledge, except as to those matters which are therein stated on information or belief, and that those matters are believed to be true and correct.

Owner Signature

Date

Owner Signature

Date

STATE OF CALIFORNIA

COUNTY OF

Contra Costa

) ss.

Subscribed and sworn to before me on

Nov. 5th 2015

[NOTARY SEAL ↓]

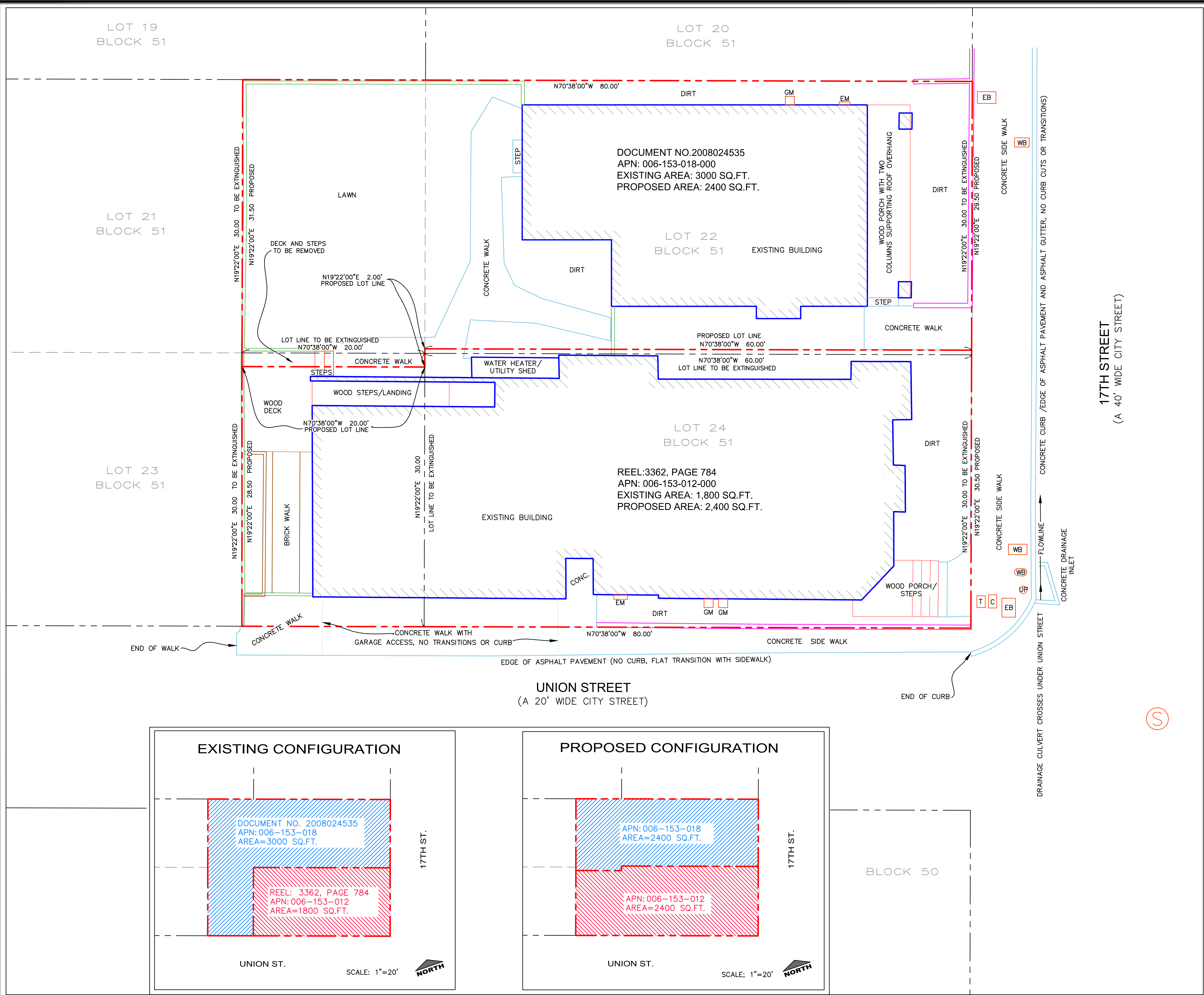
Notary Signature

M.M. Osorio

NOTARY PUBLIC

Notary Name Typed or Printed

See attached Jurat.



NOTES:

THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE PROPERTY OWNER.

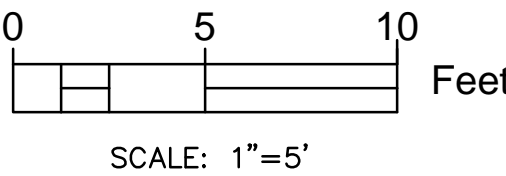
THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.

UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED. INFORMATION REGARDING UNDERGROUND UTILITY LOCATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE UTILITY COMPANIES OR PUBLIC AGENCIES.

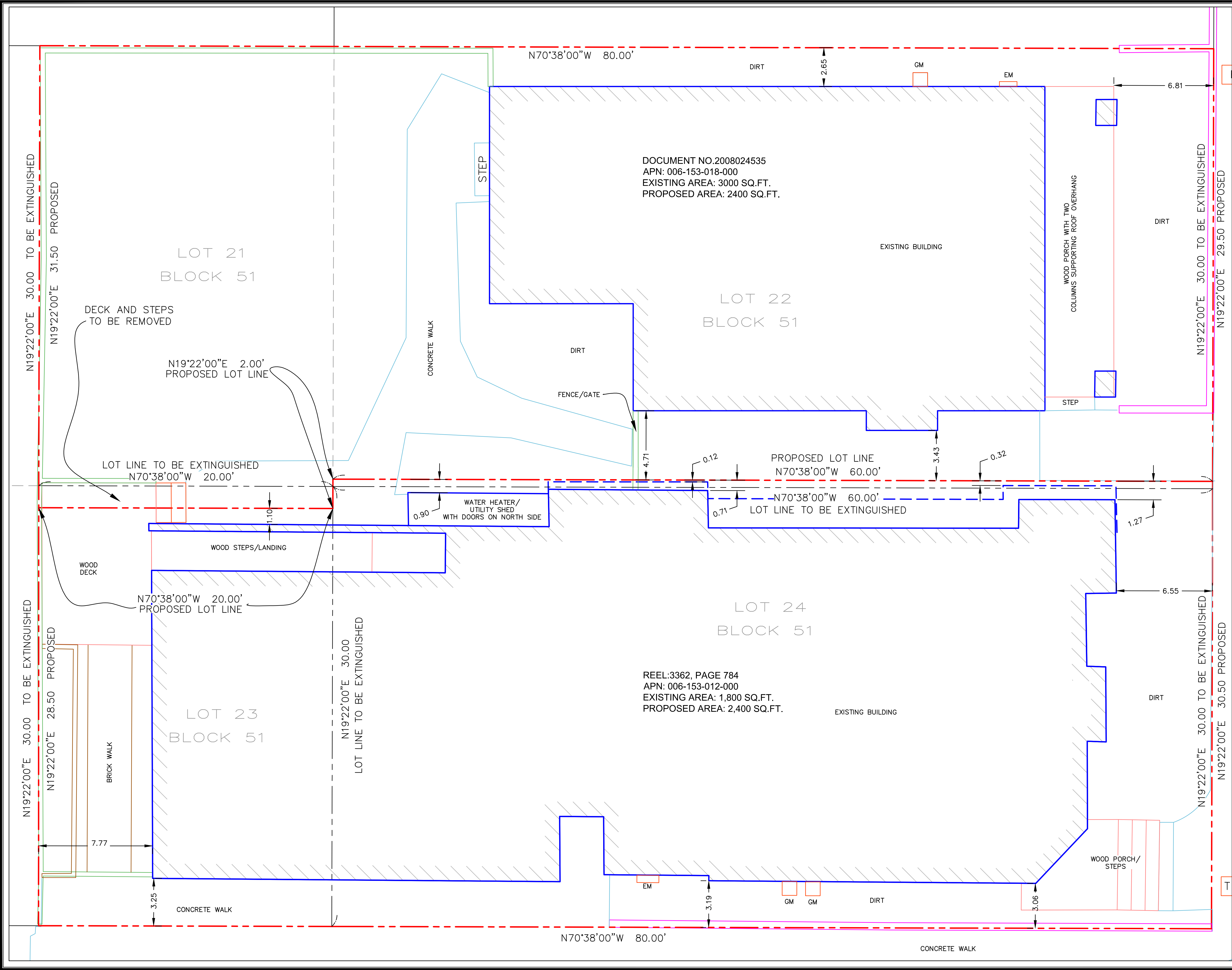
DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

SUFFICIENT BOUNDARY TIES WERE MADE TO GRAPHICALLY SHOW EXISTING FEATURES; ALL BOUNDARY DATA SHOWN IS FROM RECORD INFORMATION.

- LEGEND:**
- EM = ELECTRIC METER
 - GM = GAS METER
 - EB = ELECTRIC UTILITY BOX
 - WB = WATER UTILITY BOX
 - C = CABLE/TV UTILITY BOX
 - T = TELEPHONE UTILITY BOX
 - UP = UTILITY POLE
 - [Pink Line] = CONCRETE RETAINING WALL
 - [Orange Line] = BRICK RETAINING WALL
 - [Green Line] = WOOD FENCE
 - (S) = SANITARY SEWER MAN HOLE



PROJECT NO. 15093		PROPOSED LOT LINE ADJUSTMENT BETWEEN THE PARCELS DESCRIBED IN DOCUMENT NUMBER 2008024535 AND THE DOCUMENT FILED IN REEL 3362, AT PAGE 784. BEING ALSO LOTS 22, 24, AND A PORTION OF LOTS 21 AND 23 IN BLOCK 51, AS SAID LOTS AND BLOCK ARE SHOWN ON "MAP OF PACIFIC GROVE RETREAT, MONTEREY COUNTY, CAL., ST. JOHN COX SURVEYOR, JULY, 1875" FILED IN VOLUME 1, CITIES AND TOWNS, AT PG. 49. OFFICIAL RECORDS OF MONTEREY COUNTY.	
SHEET 1 OF 4		PREPARED FOR: JON DUNPHY AND LOIS POMEROY APNs: 006-153-018-000 & 006-153-012-000	
DATE OF SURVEY: 11/02/2015 DRAWING SCALE: 1"=5'		RASMUSSEN LAND SURVEYING, INC. P.O. BOX 3135 MONTEREY, CALIFORNIA 93942 (831)375-7240 (831)375-2545 FAX	
DRAWN BY: GH		REVISED: 01/11/2016 (ADH)	



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SUFFICIENT BOUNDARY TIES WERE MADE TO GRAPHICALLY SHOW EXISTING FEATURES; ALL BOUNDARY DATA SHOWN IS FROM RECORD INFORMATION.

ENCROACHMENT NOTES:

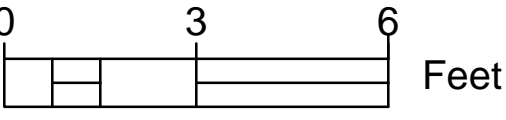
DIMENSIONS ARE SHOWN FROM EXISTING SITE FEATURES TO PROPOSED LOT LINES. PROPOSED LOT LINES WOULD PROPERLY ENCOMPASS THE APPROPRIATE BUILDINGS WITH NO EAVE OR GUTTER ENCROACHMENTS. THE ENCROACHING DECK AND STEPS IN THE REAR SHALL BE REMOVED. THERE WERE NO ENCROACHMENTS FROM APN: -018 ONTO APN: -012, OTHER THAN THE CONCRETE WALK WAY WHICH CROSSES THE LOT LINE AND ADJOINS THE EXISTING BUILDING ON APN-012 AND THE SEGMENT OF FENCE AND GATE WHICH CONNECT THE TWO BUILDINGS.

ALTHOUGH NOT TECHNICALLY AN ENCROACHMENT, THE "WATER HEATER/UTILITY SHED" SITS NEAR THE PROPERTY LINE, AND HAS ACCESS DOORS ON ITS NORTH FACE.

LEGEND:

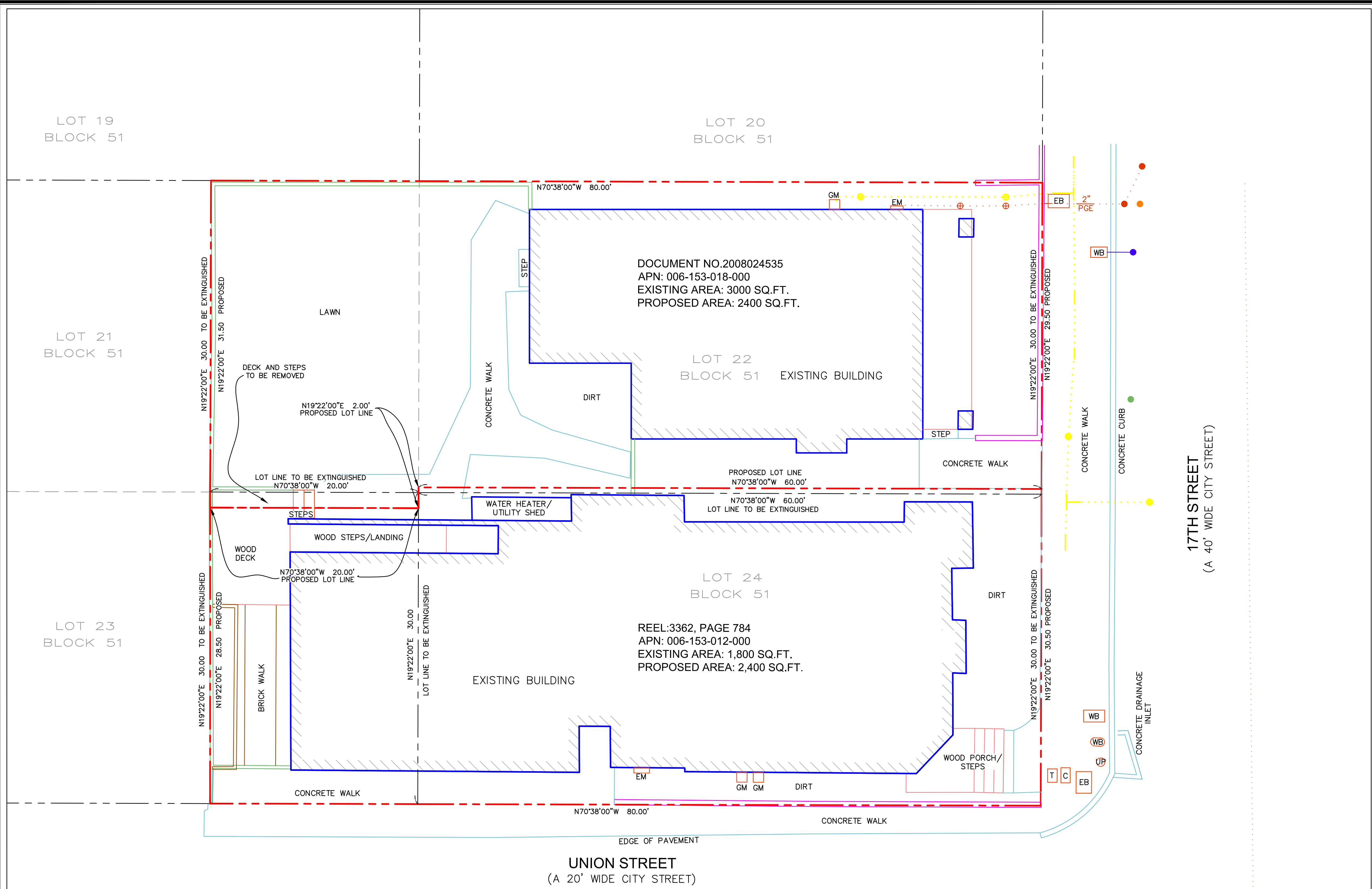
EM = ELECTRIC METER
GM = GAS METER
EB = ELECTRIC UTILITY BOX
WB = WATER UTILITY BOX
C = CABLE/TV UTILITY BOX
T = TELEPHONE UTILITY BOX
UP = UTILITY POLE

— = CONCRETE RETAINING WALL
— = BRICK RETAINING WALL
— = WOOD FENCE
- - - = EDGE OF GUTTERS ON EAVES



SCALE: 1"=3'





NOTES:

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 = BRICK RETAINING WALL
 = WOOD FENCE
 = SANITARY SEWER MAN HOLE

UTILITIES LEGEND

*UTILITIES WERE MARKED ON THE GROUND BY APPROPRIATE UTILITY COMPANY OR PUBLIC AGENCY, MARKINGS WERE THEN LOCATED BY THE SURVEYOR AND DRAWN ONTO THE MAP. NO MARKINGS WERE OBSERVED, OTHER THAN THOSE SHOWN HEREON. FURTHERMORE, NO MARKINGS WERE OBSERVED TO BE CORSSING THE PROPOSED BOUNDARY LINE BETWEEN APN: -012 AND APN: -018.

BURIED GAS FACILITIES

- = YELLOW PIN FLAG
 = YELLOW PAINT DOT
 = YELLOW PAINT JUNCTION "3/4"STL/2"STL"
 = YELLOW PAINT LINE
 = BURIED GAS LINE, AS INTERPOLATED BETWEEN MARKINGS.

BURIED ELECTRIC FACILITIES

- = RED PIN FLAG
 = RED PAINT DOT
 = RED PAINT LINE
 = BURIED ELECTRIC LINE, AS INTERPOLATED BETWEEN MARKINGS.

WATER UTILITY

- = BLUE PAINT DOT
 = BLUE PAINT LINE

NOTE: NO OTHER "BLUE" OR WATER UTILITY MARKINGS FOUND.

SEWER UTILITY

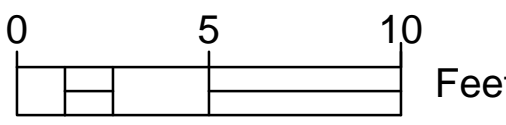
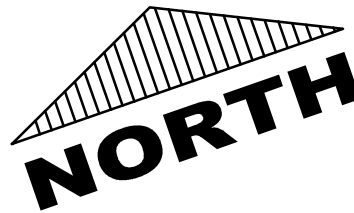
- = GREEN PAINT DOT MARKED "O/K"
 = BURIED SEWER MAIN BASED ON EXISTING MANHOLE AND 2' WIDE PATCH IN PAVEMENT

NOTE: NO OTHER "GREEN" OR SEWER UTILITY MARKINGS FOUND.

TV/ ATT UTILITY

- = ORANGE PAINT DOT READS: " NO TV NO ATT 10'

NOTE: NO OTHER "ORANGE" OR TV/ ATT UTILITY MARKINGS FOUND.



SCALE: 1"=5'



Recording Requested by:

And When Recorded Mail to:

EASEMENT DEED

For a valuable consideration, receipt of which is hereby acknowledged,

Ashley Elizabeth Gamble and Benjamin Russell Blakely, husband and wife, Grantors, hereby grant to:

Lois E. Pomeroy, as Trustee of the Lois E. Pomeroy Revocable Living Trust dated 4/2/96, Grantee,

An easement to enter Grantors' real property located at 122 17th Street, Pacific Grove, County of Monterey, California, more particularly described in Exhibit A attached hereto and incorporated herein by reference in order to inspect, repair and maintain the northerly side of Grantee's residence and utility shed located on Grantee's real property located at 124 17th Street, Pacific Grove, County of Monterey, California, more particularly described in Exhibit B attached hereto and incorporated herein by reference.

Absent an emergency, any entry by Grantee onto Grantors' real property shall only be allowed after twenty-four (24) hours' prior notice by Grantee to Grantors.

This easement is appurtenant to and for the benefit of Grantee's real property described in attached Exhibit B and a burden upon Grantors' real property described in attached Exhibit A. This easement shall run with the respective real properties of Grantors and Grantee and be binding upon the heirs, successors and assigns of Grantors and/or for the benefit of the heirs, successors and assigns of Grantee.

GRANTORS:

Dated: _____

ASHLEY ELIZABETH GAMBLE

Dated: _____

BENJAMIN RUSSELL BLAKELY

GRANTEE:

Dated: _____

LOIS E. POMEROY, AS TRUSTEE OF THE LOIS E.
POMEROY REVOCABLE LIVING TRUST DATED 4/2/96

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me, _____ [insert name and title], personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me, _____ [insert name and title], personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On _____ before me, _____ [insert name and title], personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

EXHIBIT A

Adjusted A.P.N. 006-153-018-000

Certain real property situate in the City of Pacific Grove, County of Monterey, State of California, in Block 51, as shown on that certain map entitled "Map of Pacific Grove Retreat, Monterey County, Cal., St. John Cox Surveyor, July 1875", filed August 8, 1876 in the office of the County Recorder of the County of Monterey, State of California, in Volume 1, Cities and Towns, at page 49, more particularly described as follows:

BEGINNING at a point distant S 70°38'00" E, 40.00 feet from the northwest corner of Lot 21, in said Block 51; thence

- (1) S 70°38'00" E, 80.00 feet to the northeast corner of Lot 22, in said Block 51;
thence
- (2) S 19°22'00" W, 29.50 feet; thence
- (3) N 70°38'00" W, 60.00 feet; thence
- (4) S 19°22'00" W, 2.00 feet; thence
- (5) N 70°38'00" W, 20 feet; thence
- (6) N 19°22'00" E, 31.50 feet to the **Point of Beginning**.

Containing 2400 square feet of land, more or less.

Together with and subject to, any and all covenants and agreements of record.



End of Description

EXHIBIT B

Adjusted A.P.N. 006-153-012-000

Certain real property situate in the City of Pacific Grove, County of Monterey, State of California, in Block 51, as shown on that certain map entitled "Map of Pacific Grove Retreat, Monterey County, Cal., St. John Cox Surveyor, July 1875", filed August 8, 1876 in the office of the County Recorder of the County of Monterey, State of California, in Volume 1, Cities and Towns, at page 49, more particularly described as follows:

BEGINNING at a point distant S 70°38'00" E, 40.00 feet from the southwest corner of Lot 23, in said Block 51; thence parallel with the westerly boundary of said Lot 23

(1) N 19°22'00" E, 28.50 feet; thence

(2) S 70°38'00" E, 20.00 feet; thence

(3) N 19°22'00" E, 2.00 feet; thence

(4) S 70°38'00" E, 60.00 feet to a point on the easterly boundary of Lot 22 in said Block 51, distant N 19°22'00" E, 0.50 feet from the southeast corner of said Lot 22; thence

(5) S 19°22'00" W, 30.50 feet to the southeast corner of Lot 24 in said Block 51; thence

(6) N 70°38'00" W, 80.00 feet to the **Point of Beginning**.

Containing 2400 square feet of land, more or less.

Together with and subject to, any and all covenants and agreements of record.



End of Description



CITY OF PACIFIC GROVE

Community and Economic Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T : 831.648.3183 • F : 831.648.3184 • www.ci.pg.ca.us/cdd

LOT LINE ADJUSTMENT (LLA) PERMIT 15-708 TO MODIFY A LOT LINE BETWEEN
124 17th STREET (APN 006-153-012) AND 122 17th STREET (APN 006-153-018) FOR A TOTAL LOT SIZE OF
APPROXIMATELY 2,400 SQUARE FEET EACH.

FACTS

1. The subject sites are located at 124 17th Street, Pacific Grove, 93950 (APN 006-153-012) and 122 17th Street, Pacific Grove, 93950 (APN 006-153-018).
2. The subject sites have a designation of High Density 29.0 DU/ac on the adopted City of Pacific Grove General Plan Land Use Map.
3. The project sites are located in the R-3-PGR zoning district.
4. The project sites are located in the Coastal Zone.
5. The project sites are located in the Area of Special Biological Significance Watershed.
6. The project sites are located in the Archaeological Zone.
7. The project sites are located in the City of Pacific Grove's Historic Resources Inventory (HRI).
8. On December 30th, 1970, the Planning Commission approved a variance to allow the property at 124 17th Street (APN 006-153-018) to reduce the front yard setback requirement from 12 feet to 1 foot, and to reduce the rear yard setback from 8 feet to 6 feet. The City Council granted the variance on January 6th, 1971.
9. Pacific Grove Municipal Code (P.G.M.C.) 23.26.030(a) requires building site areas in the R-3-PGR zoning district to be a minimum of 2,200 square feet.
10. P.G.M.C. 23.26.090 has no requirements of off-street parking for lots 2,699 square feet or smaller.
11. A survey of the sites was completed November 2nd, 2015 and revised on January 11th, 2015 by Gordon A. Humenik, State of California Licensed Land Surveyor (License No. 9119) of Rasmussen Land Surveying (RLS), Inc.
12. This project has been determined to be CEQA Exempt under Categorical Exemptions, Section 15305(a), Class 5.

FINDINGS

1. The merging of the lots will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood because the project will be improving the subject property, and;
2. Per P.G.M.C. 24.04.030, a lot line adjustment is:
"between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, where a greater number of parcels than originally existed is not thereby created, and where merger is not required for such parcels."
3. The lot line adjustment conforms to the City's General Plan, zoning ordinance and building ordinance, including minimum building site area and parking requirements, and;
4. The lot line adjustment is consistent with the provisions of Section 66412(d) of the Subdivision Map Act, and;
5. The project does not affect street improvements that are in place to control and provide for the movement of traffic, and;
6. The project does not have a negative effect on pedestrian movement on/or adjoining the site;
7. The project does not affect the safe and sanitary control of surface or subsurface drainage;
8. The project does not result in the need for on-site parking, per P.G.M.C. 23.26.090, and;

9. The project does not result in the need for refuse storage or disposal, and;
10. The subject property is considered legal non-conforming, and;
11. An easement deed will permit the residents of 122 17th Street to inspect, repair, and maintain the utility shed and northerly side of its residence through access of 124 17th Street, and;
12. Subject to Government Code Section 66412(d), the lot line adjustment shall be reflected in a deed, which will be recorded prior to any building permit issuance.

PERMIT

LLA 15-708 per P.G.M.C. Section 24.04.030.

CONDITIONS OF APPROVAL

1. **Revised Plans.** Within 60 days from the date of approval by the Site Plan Review Committee, revised plans shall be submitted that reflect the following:
 - a. The deck and steps encroachment, as illustrated on plans entitled “Proposed Lot Line Adjustment Showing Details Along Proposed Boundary, Project No. 15093”, revised January 11, 2016, shall be removed or reduced so that the deck and steps encroachments do not exist on 122 17th Street (APN 006-153-018).
2. **Fence.** Any proposed fence shall include a gate to allow access to the water heater and utility shed of 124 17th Street (APN 006-153-012) from 122 17th Street (APN 006-153-018).
3. **Permit Expiration.** This permit will not expire or become void once passed by the Site Plan Review Committee (SPRC).
4. **Construction Compliance.** All construction must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions of approval herein. Any deviation from approvals must be reviewed and approved by staff, and may require additional approvals.
5. **Terms and Conditions.** These terms and conditions shall run with the land, and it is the intention of the Community & Economic Development Director and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions, unless amended. Amendments to this permit may be achieved only if an application is made and approved, pursuant to the Zoning Code.
6. **Conformance to Plans.** Changes to the site shall conform to approved plans entitled “Proposed Lot Line Adjustment, Project No. 15093”, revised January 11, 2016 and received January 12, 2016 on file with the Community and Economic Development Department.
7. **Deed Restriction.** The revised deed description of the lot line adjustment shall be filed with the County of Monterey Recorder within 60 days from the date of approval by the Site Plan Review Committee.
8. **Deed Restriction and Revocation:** This permit shall be revoked if a Deed Restriction, Record of Survey, and Lot Line Adjustment Map is not recorded with the County of Monterey within 30 days from the date of approval. An application for extension of this permit, if needed, must be made prior to the expiration date.

NOW, THEREFORE, BE IT RESOLVED BY THE SITE PLAN REVIEW COMMITTEE OF THE CITY OF PACIFIC GROVE:

1. The SPRC determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The SPRC authorizes APPROVAL of Lot Line Adjustment Permit 15-708.
3. This permit shall become effective upon the expiration of the 10-day appeal period.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted by the Site Plan Review Committee of the City of Pacific Grove on the 27th day of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Wendy Lao, Assistant Planner

Date

Mark Brodeur, CEDD Director

Date