



# NOTICE OF MEETING

## CITY OF PACIFIC GROVE

### ZONING ADMINISTRATOR

#### AGENDA

10:00 a.m., Thursday, January 14, 2016

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

**1. Call to Order- 10:00 a.m.**

**2. Public Comment**

*Comments from the audience will not receive Zoning Administrator action. Comments must deal with matters subject to the jurisdiction of the Zoning Administrator and will be limited to three (3) minutes. Comments regarding agenda items shall be heard at the time such items are called. Whenever possible, letters should be submitted to the Zoning Administrator in advance of the meeting.*

**3. Regular Agenda.**

**a. [Sidewalk Dining License #15-778](#)**

Description: Permit a Sidewalk Dining License at **Pavel's Backerei** located at 219 Forest Ave. Pacific Grove, CA 93950

Applicant/Owner: Paul & Johanna Wainscoat

Zoning/Land Use: C-D, Commercial Downtown

Legal Description: APN: 006-282-016

CEQA Status: Categorical Exemption, Class 1

Staff Reference: Wendy Lao, Assistant Planner

Recommended Action: Final Approval

**b. [Permit of Undocumented Unit #15-671](#)**

Description: Permit of an Undocumented Unit located at 210 17 Mile Drive Pacific Grove Ca, 93950.

Applicant/Owner: Anthony Davi/ Jaqueline Trees

Zoning/Land Use: R-4/High Density 29 du/ac

Legal Description: APN: 006-351-015

CEQA Status: Categorical Exemption, Class 1

Staff Reference: Laurel O'Halloran, Associate Planner

Recommended Action: Deny

**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. ZA 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 ZA. This meeting is open to the public and all interested persons are welcome to attend.



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#### 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 by the ZA may be appealed to the Planning Commission using a form available at the CDD. The appeal form, plus an appeal fee, must be filed with the CDD within 10 days (5 days in the case of a single-family dwelling not listed on the historic resources inventory as considered under the terms of Section 23.73.080(a) of the Municipal Code) of the action or decision being appealed. The aforementioned appeal period notwithstanding, the Planning Commission and the City Council shall always have until their next regularly scheduled meeting following ZA action to decide to review such action. No building permit pertaining to a ZA action may be issued until the appeal period has passed.

**Judicial Time Limits:** This serves as written notice that 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:** Applicants are requested to contact the Building Department for building permit requirements.

**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.

#### Permit of an Undocumented Unit:

Per Pacific Grove Municipal Code 23.64.360

#### Standard Conditions of Approvals:

1. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. These terms and conditions shall run with the land, and it is the intention of the ZA 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 regulations.
3. Review by the Public Works and Fire Departments is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way and prior to issuance of the building permit.