



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Chair Sawyer and Members of the Historic Resources Committee
FROM: Alyson Hunter, Senior Planner
MEETING DATE: August 28, 2019
SUBJECT: Discussion on PGMC §23.76.060 *Incentive – Exceptions to land use regulations – Historic preservation permit.*
CEQA STATUS Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

Discuss the Code sections below and provide direction to Staff for future applications.

DISCUSSION

Pacific Grove Municipal Code (PGMC) [§ 23.76.060](#) provides a process in which exceptions to the development standards of the zoning district may be granted *when such exception is necessary to permit the preservation or restoration of, or improvements to, a building listed on the historic resources inventory*. The section follows below:

23.76.060 Incentive – Exceptions to land use regulations – Historic preservation permit.

Following notice of hearing (10 days’ published and posted), the historic resources committee may grant a historic preservation permit for an exception to zoning district regulations when such exception is necessary to permit the preservation or restoration of, or improvements to, a building listed on the historic resources inventory. Such exceptions may include, but not be limited to, parking, yards, height and coverage regulations. Such exceptions shall not include approval of uses not otherwise allowed by the zoning district regulations. In considering an application for such exception, the historic resources committee shall be directed and guided by the list of purposes found in PGMC [23.76.010](#) and by PGMC [23.04.010](#).

Currently, applications have been presented to the Committee utilizing the HPP incentive for exceptions to setbacks and parking, most commonly, to allow the expansion of an existing residence and/or the development of an Accessory Dwelling Unit (ADU). It has become apparent that the issuance of HPPs is not always directly necessary *for the preservation or restoration of, or improvements to, the historic resource* which is listed on the Historic Resources Inventory (HRI).

Staff requests that the Committee consider the intent of this Code section, including the broader purpose statements referenced in § 23.76.060 (attached), and provide direction to Staff on how the incentive program should be implemented.

For example, should a large addition to a small historic cottage be granted an exception to the required number of parking spaces or the site coverage or building height simply because the property is listed on the HRI? And do the incentives apply to the property or the individual resource (building(s), structure(s) or object(s) within the property boundaries)? Or should the project include specific improvements or rehabilitation efforts to the existing resource in order to qualify for an HPP?

Furthermore, this Code section stipulates that, *in considering an application for such exception, the historic resources committee shall be directed and guided by the list of purposes found in PGMC [23.76.010](#) and by PGMC [23.04.010](#)*. These sections are attached herein.

CEQA

Receipt of the report is an administrative action and does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5).

ATTACHMENTS

PGMC §§ 23.76.010 and 23.04.010

RESPECTFULLY SUBMITTED:

Alyson Hunter

Alyson Hunter, Senior Planner

PGMC Section 23.76.010 Purpose.

The protection, enhancement, perpetuation and use of structures and neighborhoods of historical and architectural significance located within the city are of cultural and aesthetic benefit to the community. The economic, cultural and aesthetic standing of the city will be enhanced by respecting the city's heritage. The purposes of this chapter are to:

- (a) Preserve, protect, enhance and perpetuate those historic structures and neighborhoods which contribute to the cultural and aesthetic heritage of Pacific Grove;
- (b) Further the city's goals of rehabilitating the existing housing stock and protecting the affordable housing supply through preservation and adaptive reuse of historic buildings;
- (c) Foster civic pride in the beauty and accomplishments of the past;
- (d) Preserve buildings significantly identified with people or events of historical and cultural importance to Pacific Grove's past;
- (e) Enrich the dimensions of human life by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past;
- (f) Enhance the visual and aesthetic character, diversity and interest of the city by maintaining the existing scale and the eclectic styles of buildings and their settings;
- (g) Control the demolition of historic structures in order to preserve, to the greatest extent feasible, the diverse qualities that define the character of the community of Pacific Grove and that reflect the distinct phases of its cultural and architectural history;
- (h) Enhance property values and increase economic and financial benefits to the city, its inhabitants, and property owners;
- (i) Protect and enhance the city's attraction to tourists and visitors, thereby stimulating business;
- (j) Conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

PGMC Section 23.04.010 Purpose of zoning regulations.

This title constitutes the city's zoning regulations, referred to hereafter as "these regulations." The purposes of these regulations are to: promote and protect the public health, safety, peace, comfort, and general welfare; promote the growth and redevelopment of the city of Pacific Grove in an orderly manner; and implement the Pacific Grove general plan and local coastal program (LCP). Pacific Grove is primarily a city of homes, and it is, therefore, determined that business and industry shall be compatible with its residential character.

(a) Authority. These regulations are enacted based on the authority vested in the city of Pacific Grove by the state of California, including but not limited to: the State Constitution; the Planning and Zoning Law (Government Code Sections 65000 et seq.); the California Coastal Act (Public Resources Code Sections 30000 et seq.); the Subdivision Map Act (Government Code Sections 66410 et seq.); and the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.).

(b) Consistency with General Plan and Local Coastal Program (LCP). These regulations are a primary tool used by the city to carry out the goals, objectives, and policies of the Pacific Grove general plan and local coastal program (LCP). The Pacific Grove city council intends that these regulations be consistent with the city's general plan and local coastal program, and that any land use, subdivision, or development approved in compliance with these regulations will also be consistent with the general plan and local coastal program.

(c) Minimum Requirements. The provisions of these regulations shall be minimum requirements for the promotion of the public health, safety, and general welfare. When these regulations provide for discretion on the part of a city official or body, that discretion may be exercised to impose more stringent requirements than set forth in these regulations as may be necessary to promote orderly land use development, environmental resource protection, and the other purposes of these regulations.

(d) Zoning Map Boundaries. See PGMC 23.12.020 (Districts established by zoning map).

(e) Allowable Uses of Land. See Chapters 23.16 through 23.68 PGMC.