

**ORDINANCE NO. 17-009**

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE  
AMENDING PACIFIC GROVE MUNICIPAL ZONING CODE  
TABLE 23.31.040 COMMERCIAL AND INDUSTRIAL ZONING  
DISTRICTS DEVELOPMENT STANDARDS TO ALLOW 100%  
SITE COVERAGE IN THE COMMERCIAL DOWNTOWN (CD)  
DISTRICT**

**WHEREAS**, the Pacific Grove Municipal Code (PGMC) for the City of Pacific Grove ("City") controls land use through Title 23-Zoning and;

**WHEREAS**, the Zoning Code contains several Tables that govern site development standards such as setback, building height and site coverage; and

**WHEREAS**, Zoning Code Table 23.31.040 – Commercial and Industrial Zoning Districts Development Standards currently restricts site coverage in the Commercial Downtown District to 75% or 90% respectively; and

**WHEREAS**, the downtown currently exhibits a preponderance of existing sites that exhibit 100% site coverage; and

**WHEREAS**, Pacific Grove General Plan contains policies that encourage revising building limits that maintain the compatibility and character of the Downtown; and

**WHEREAS**, the Planning Commission finds that the downtown exhibits mostly 100% site coverage; and

**WHEREAS**, the City should not penalize new development in the downtown; and

**WHEREAS**, The Pacific Grove Planning Commission considered the Zoning Code amendment at their regularly scheduled meeting on March 2, 2017; and

**WHEREAS**, the enactment of this ordinance will help protect the public peace, health and safety of the City and its inhabitants; and

**WHEREAS**, the proposed Zoning Code amendment does not result in any new or significant impacts to the environment because it is either more protective or procedural in nature; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF PACIFIC GROVE:**

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council declares this ordinance necessary in order to maintain the historic building pattern in the downtown.

SECTION 3. Existing Municipal Code Table 23.31.040 of the Zoning Code entitled “Commercial and Industrial Zoning Districts Development Standards”, shall be amended by addition of all text shown in red, bold, italic underscored text (***bold, italic, underscored text***), as follows.

23.31.040 Commercial and industrial zoning districts development standards.  SHARE

**Table 23.31.040 Commercial and Industrial Zoning Districts Development Standards**

	C-1/C-1-T	C-D	C-FH <sup>1</sup>	C-2	C-V	I
<b>Building Placement Requirements</b>						
Setbacks <sup>2</sup>						
Front, min. (max.)	0'	0'	0' (20')	0'	0'	0'
Side (min.), except:	0'	0'	0'	0'	0'	0'
Adjacent to residential zone	5'	5'	5'	5'	10'	10'
Rear (min.), except:	0'	0'	10'	0'	0'	0'
Adjacent to residential zone	5'	5'	10'	5'	10'	10'

**Table 23.31.040 Commercial and Industrial Zoning Districts Development Standards  
(Continued)**

	C-1/C-1-T	C-D	C-FH <sup>1</sup>	C-2	C-V	I
<b>Building Form Requirements</b>						
Building height (max.) <sup>3</sup>	40' with max. site coverage of 75%; 30' with max. site	<del>40' with max. site coverage of 75%; 30' with max. site</del>	35'	40'	40' with max. site coverage of 75%; 30' with max. site	40'

**Table 23.31.040 Commercial and Industrial Zoning Districts Development Standards**

	C-1/C-1-T	C-D	C-FH <sup>1</sup>	C-2	C-V	I
	coverage of 90%	coverage of 90%; <u>40'</u>			coverage of 90%	
Site coverage (max.) <sup>4</sup>	75 – 90%, depending on building height	<del>75 – 90%, depending on building height.</del> <u>100%</u>	75%	90%	75 – 90%, depending on building height	90%
<b>Density Requirements</b>						
Number of dwellings per parcel	Max. allowed by the general plan residential land use category nearest to the site, up to 30 units per net acre. <sup>5,6</sup>			N/A	Max. allowed by the GP residential land use category nearest to the site, up to 30 units per net acre. <sup>6</sup>	
Floor area ratio	Max. allowed by the general plan					
<b>Lot Requirements</b>						
Lot area for new parcels (min.) <sup>7</sup>	2,000 sf					
<b>Other Requirements</b>						
Landscaping	See PGMC <u>23.64.195</u>					
Parking	See PGMC <u>23.64.190</u>					
Signs	See Chapter <u>20.04</u> PGMC					

1. **End Notes:**

2. 1. Refer to the Forest Hill specific plan for additional development regulations and guidelines including site planning, circulation and parking, resource protection, signs, lighting, and landscaping.

3. 2. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the setback standards in PGMC 23.24.060 shall apply.
4. 3. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building height standards in PGMC 23.24.030 shall apply. Within the C-2 and I districts, a use permit is required in order to exceed the 40-foot building height limit.
5. 4. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building coverage and site coverage standards in PGMC 23.24.050 and 23.24.051, respectively, shall apply.
6. 5. Twenty-five units maximum in the C-1-T district. See also PGMC 23.31.020(b)(3).
7. 6. Except as provided in End Note #5 above, higher residential densities are allowed if a finding can be made that the project furthers the goals of the general plan.
8. 7. For mixed-use residential/commercial development where 50 percent or less of the street-level frontage is devoted to commercial usage, the building site area standards in PGMC 23.24.040 shall apply.

**SECTION 5.** If any provision, section, paragraph, sentence, clause, or phrase of these ordinances, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinances, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have recommended adoption of each provision, section, paragraph, subparagraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses, or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

**SECTION 6.** Upon adoption by the City Council, these ordinances shall cause republication of Table 23.31.040.

**PASSED AND RECOMMENDED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE** this 7<sup>th</sup> day of June, 2017, by the following vote:

**AYES:** Mayor Kampe, Councilmembers Cuneo, Fischer, Garfield, and Huitt.

**NOES:** Councilmembers Peake and Smith.

**ABSENT:** None.

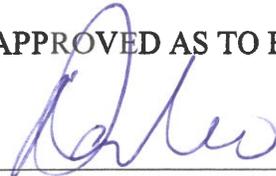
APPROVED:

  
BILL KAMPE, Mayor

ATTEST:

  
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

  
DAVE LAREDO, City Attorney