NOTICE OF PUBLIC HEARING

CITY OF PACIFIC GROVE

ZONING ADMINISTRATOR

MEETING AGENDA

10:00 a.m., Thursday, October 10, 2019

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. **Approval of Minutes**
   a. **September 25, 2019 Regular Meeting**
      Recommended Action: Approve minutes as presented

4. **Regular Agenda**
   Address: 420 Monterey Avenue, Pacific Grove (APN 006-493-006)
   Application #: Parcel Map 19-0496
   Description: Subdivision of the property located at 420 Monterey Ave. into two (2) lots of 4,000 and 6,800 sq. ft. as shown on the Tentative Parcel Map dated September 2019, prepared by Monterey Bay Engineers, per PGMC Section 24.08 - *Parcel Map Procedures*.
   Zone District/General Plan Designation: Residential Single-Family (R-1) / Medium Density Residential
   Coastal Zone: No Archaeological Sensitivity: No Historic Resources Inventory: Yes
   Area of Special Biological Significance: Yes
   CEQA Status: Exempt per CEQA Guidelines, Section 15315, Minor Land Divisions
   Applicant/Owner: William C. and Helen K. Bluhm, owner(s)
   Staff Reference: Alyson Hunter, Senior Planner | ahunter@cityofpacificgrove.org

5. **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.

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.

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

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Anastazia Aziz, AICP, Zoning Administrator
FROM:	Alyson Hunter, Senior Planner
MEETING DATE:	October 10, 2019
SUBJECT:	Parcel Map 19-0496 to subdivide a 10,800 sf property into two (2) parcels of 4,000 and 6,800 sf, respectively.
ADDRESS:	420 Monterey Avenue (APN 006-493-006)
ZONING/ LAND USE:	R-1 / Medium Density to 17.4 DU/AC (PG Retreat, 3rd Addition)
APPLICANT/ OWNER:	William C. and Helen K. Bluhm
CEQA:	Categorical Exemption, Section 15315, Class 15, Minor Land Divisions

RECOMMENDATION

Approve the tentative parcel map as submitted subject to findings, conditions of approval, and a Class 15 CEQA exemption.

BACKGROUND

On August 13, 2019, a Parcel Map application No. 19-0496 was submitted to subdivide one existing 10,800 square foot parcel into two (2) parcels of 4,000 and 6,800 sf. The larger resultant parcel (Parcel A) is currently developed with a 2,461 sf single family residence, which is included on the City of Pacific Grove's (City) Historic Resources Inventory (HRI). No changes to this residence are proposed at this time. Proposed Parcel B is vacant but for a 90 sf nonconforming shed that will be removed prior to recordation of the Parcel Map. The property is planned and zoned for residential single-family use.

DISCUSSION

The subdivision proposes a 4,000 sf parcel on the north side which has 40' frontage on 11th Street and 32' frontage on Monterey Avenue, and a 6,800 sf parcel on the south side. In accordance to the Parcel Map Procedures in Title 24 of the Pacific Grove Municipal Code (PGMC or Code), the tentative map meets the minimum building site and width required.

Although City water has become available for sale, the issuance of a new meter by the water utility is still limited. All public utilities are available to the site and both parcels will continue to be accessed by a public street.

ZONING & GENERAL PLAN COMPLIANCE

Applicable General Plan Policies

The General Plan provides a framework for future growth and development within the City. The Land Use Element includes goals and polices that call for the orderly, well-planned, and balanced development, consistent with the historic nature of Pacific Grove, the capacity of the City's infrastructure, and ability to assimilate new growth. This proposed residential project helps the City achieve several of its housing goals as stated in the General Plan and is compatible with the Residential Medium-Density land use designation.

The policies of the General Plan are implemented through the R-1 zoning district, which allows low- and medium-density single-family development in the Retreat neighborhood. Although the subdivision itself does not result in a net increase in housing units, the provision of two lots each with one single-family residence plus Accessory Dwelling Unit (ADU) is allowed within the General Plan designation of Residential Medium-Density.

Water & Sewer – The existing residence on Parcel A is served by public water and sewer. Proposed Parcel B will need to connect to water and sewer at the time of development. This project will not be placed on the water wait list. When a development permit is approved for proposed Parcel B, the water distribution regulations in PGMC § 11.68 will be applied.

Public/Private Easements or Improvements – There are no easements of record across the property. There is curb, gutter, and sidewalk already in place on the property's 3-sided frontage along 11th St., Spruce Ave., and Monterey Ave. Any new driveway curb cuts for Parcel B will require an encroachment permit for work in the public right-of-way, as will the extension of utilities to the street.

Hazards – According to the Monterey County Hazards Mapping, the neighborhood is in a low liquefaction zone and outside all mapped fault hazards areas, the Alquist-Priolo Earthquake Zone, the high and very high fire hazard severity zones, and the tsunami inundation zone. The property is flat.

The project does not include tree removal.

Applicable Zoning Code and Subdivision Ordinance Regulations

The General Plan Land Use Map designates the subject parcel as Residential Medium-Density. This designation provides for residential development up to 17.4 dwelling units per acre.

The subdivision will meet the building site area minimum of 4,000 sq. ft. for properties zoned Residential Single-Family (R-1), per PGMC §23.16.080(a).

The project complies with the City's Subdivision Ordinance, Title 24, Chapter 24.08 – *Parcel Map Procedures*, including the additional provisions in §24.08.070 as applicable:

(a) Curbs and sidewalks shall be installed along all public street frontages, unless waived by the zoning administrator after finding that such requirement unfairly discriminates against the subdivider in relation to other developed properties in the neighborhood;

(b) Sanitary sewer facilities and connections of each lot;

(c) Each unit or parcel of land shall contain a minimum frontage of 40 feet along a dedicated street;

(d) Access to the land shall be by dedicated street of a minimum right-of-way of 50 feet; provided, that the minimum right-of-way in the R-1-B-3 zone district shall be 40 feet;

(e) Provisions for fire mains including fire hydrants as may be required by the fire chief.

ENVIRONMENTAL DETERMINATION

The proposed parcel map subdivision qualifies for a Class 15 exemption from CEQA requirements, pursuant to Guidelines 15315 – Minor Land Divisions. The subdivision consists of four or fewer parcels, no variances or exceptions are required, the parcel has not been involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

The exceptions described in §15300.2 of the CEQA Guidelines do not pertain to the Class 15 categorical exemption.

ATTACHMENTS

A. PM 18-0963 – Draft Permit
B. PM 18-0963 – Tentative Parcel Map

RESPECTFULLY SUBMITTED:

_____

Alyson Hunter, Senior Planner

CITY OF PACIFIC GROVE

Community 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

PARCEL MAP PERMIT NO. 19-0496
FOR A PROPERTY LOCATED AT 420 MONTEREY AVENUE
TO SUBDIVIDE A 10,800 SQ. FT. PARCEL INTO TWO (2) PARCELS OF 4,000 AND 6,800 S.F., RESPECTIVELY.

FACTS

1. The subject site is located at 420 Monterey Avenue, Pacific Grove, 93950 (APN 006-493-006).
2. The subject site has a designation of Medium Density to 17.4 DU/AC on the adopted City of Pacific Grove (City) General Plan Land Use Map.
3. The subject site is located in the R-1 zoning district within the Third Pacific Grove Addition, which allows minimum parcel sizes of 3,600 sf.
4. The property is proposed to be divided into two parcels of 4,000 and 6,800 sf.
5. The larger parcel, Parcel A, is developed with a 2,461 sf single family residence, which is listed on the City's Historic Resources Inventory (HRI). No changes to this residence are proposed at this time.
6. The proposed parcel (B) is currently vacant but for a 90 sf nonconforming shed. Proposed Parcel B will have double frontage on 11th Street and Monterey Avenue and a lot width of 40', which complies with the requirements of the zoning district.
7. All existing and proposed street frontages are already developed with curb, gutter, and sidewalk.
8. The property is not in the Coastal zone or an archaeologically sensitive area, but it is in and the Area of Special Biological Significance (ASBS).
9. The parcel map subdivision is exempt from environmental review per § 15315 of the CEQA Guidelines – Minor Land Divisions.

FINDINGS - PGMC § 23.70.040

(A) The proposed division conforms to the applicable provisions of the General Plan, the Local Coastal Program, any applicable specific plan, and these regulations;

(B) The proposed division is located on a legally created lot;

(C) The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivision, setbacks, and any other applicable provisions of this code, and all applicable zoning violation enforcement and processing fees have been paid; and

(D) The proposed division is in compliance with all citywide permits, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) permit.

The Project is further subject to the Additional provisions of PGMC § 24.08.070 as applicable:

(a) Curbs and sidewalks shall be installed along all public street frontages, unless waived by the zoning administrator after finding that such requirement unfairly discriminates against the subdivider in relation to other developed properties in the neighborhood;
(b) Sanitary sewer facilities and connections of each lot;
(c) Each unit or parcel of land shall contain a minimum frontage of 40 feet along a dedicated street;
(d) Access to the land shall be by dedicated street of a minimum right-of-way of 50 feet; provided, that the minimum right-of-way in the R-1-B-3 zone district shall be 40 feet; and
(e) Provisions for fire mains including fire hydrants as may be required by the fire chief.

PERMIT

Subdivision Permit 19-0496 to allow: Subdivision of the property located at 420 Monterey Ave., Pacific Grove (APN 006-493-006) into two (2) parcels as shown on the Tentative Subdivision Map of Lots 15 – 20, Block 128 of the Pacific Grove Retreat (Third Addition) dated June 2019, prepared by Monterey Bay Engineers, per PGMC Section 24.08 - *Parcel Map Procedures*.

CONDITIONS OF APPROVAL

1. **Permit Expiration.** This permit will not expire or become void once passed by the Zoning Administrator, and all permit conditions of approval must be completed and executed within one (1) year of this permit approval date.

2. **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.

3. **Terms and Conditions**. These terms and conditions shall run with the land, and it is the intention of the CEDD 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.

4. **Parcel Map.** A qualified land surveyor shall prepare a Parcel Map in accordance to the requirements of PGMC §24.08 and the Subdivision Map Act for recordation by the Monterey County Recorder. The Parcel Map shall include the following notes as applicable:
    a. Permitee shall install all street improvements (driveway approaches) and other utility connections as required by the City under a valid encroachment permit.
    b. Provide all necessary utility easements as required across adjacent parcels.
    c. Site drainage facilities for mitigating excess runoff as required by the City.

5. **Taxes.** The owner shall obtain a tax certificate from the County of Monterey Tax Collector's Office indicating that all property taxes have been paid.

6. **Indemnification.** Pursuant to Government Code §66474.9(b), the subdivider shall defend, indemnify, and hold harmless the City or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time period provided for in Gov. Code §66499.37.

7. **Shed Removal.** The 90 sf shed on proposed Parcel B is nonconforming to setbacks and shall be removed prior to recordation of the Parcel Map.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING ADMINISTRATOR OF THE CITY OF PACIFIC GROVE:

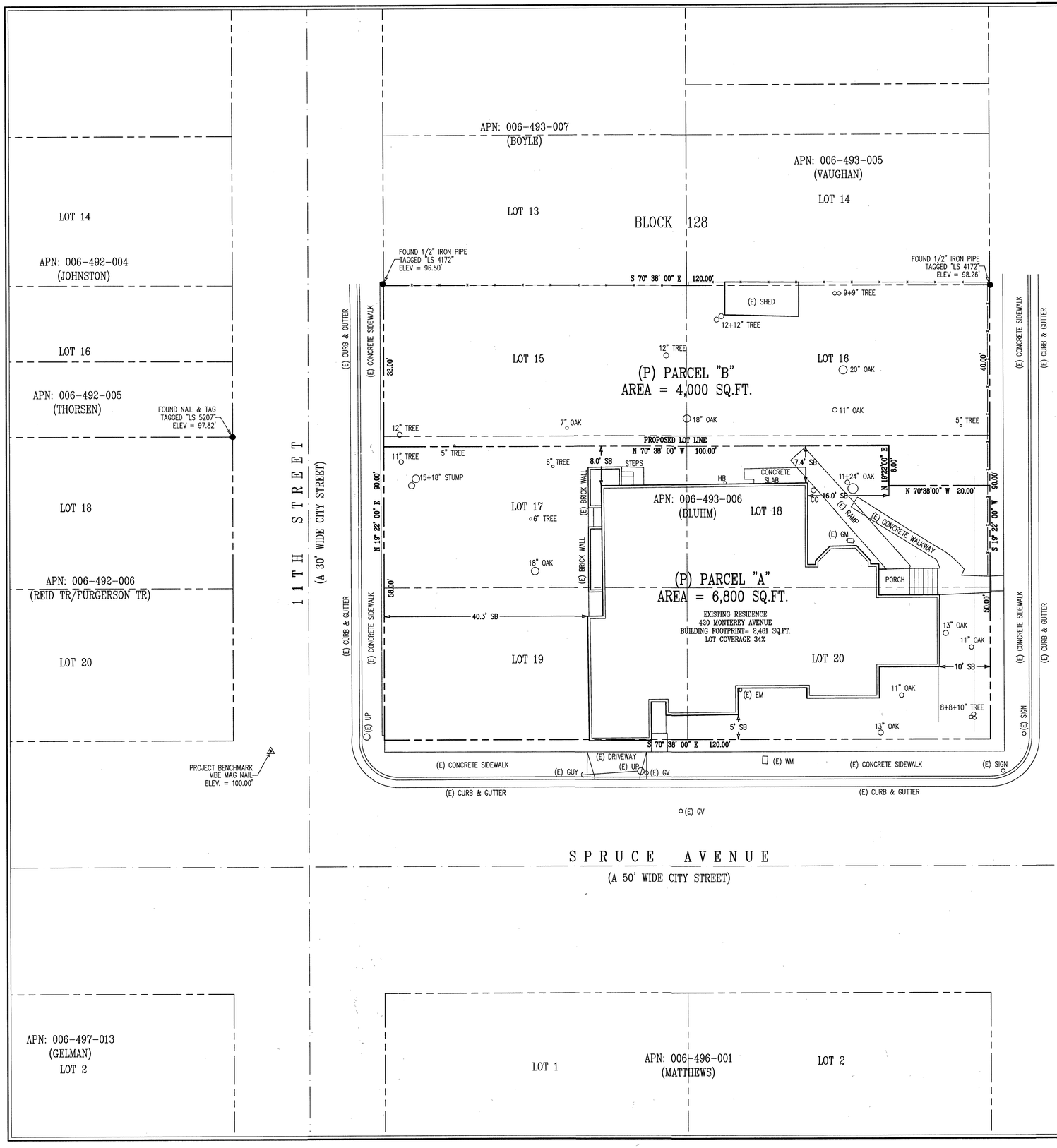
1. The Administrator determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The Administrator authorizes APPROVAL of Parcel Map File No. 19-0496.
3. This permit shall become effective upon the expiration of the 10-day appeal period.
4. This approval shall expire and be null and void if the Parcel Map does not record within one (1) year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
5. This permit shall not take effect until the subdivider acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

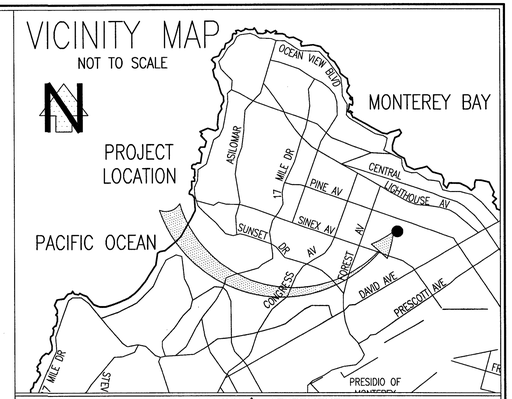
PASSED AND ADOPTED AT A SPECIAL MEETING OF THE ZONING ADMINISTRATOR OF THE CITY OF PACIFIC GROVE ON THE 10th DAY OF OCTOBER, 2019.

APPROVED: _____ _____
Anastazia Aziz, AICP, Zoning Administrator Date

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to, and comply with, said terms and conditions.

_____ _____
William Charles and Helen K. Bluhm, Owners Date





SUBDIVIDER'S STATEMENT

1.	SUBDIVIDER:	WILLIAM & HELEN BLUHM 792 LIGHTHOUSE AVENUE PACIFIC GROVE, CA 93950 (831) 277-2782 VOICE
2.	OWNERS:	WILLIAM & HELEN BLUHM 792 LIGHTHOUSE AVENUE PACIFIC GROVE, CA 93950 (831) 277-2782 VOICE
3.	ENGINEER & SURVEYOR:	STEVEN C. WILSON MONTEREY BAY ENGINEERS. INC. 607 CHARLES AVE. SUITE B SEASIDE, CA 93955 (831) 899-7899 VOICE (831) 899-7879 FACSIMILE
4.	PROPERTY LOCATION:	420 MONTEREY AVENUE PACIFIC GROVE, CA 93950 ASSESSOR'S PARCEL: 006-493-006
5.	LEGAL DESCRIPTION:	LOTS 15 -20, BLOCK 128 PACIFIC GROVE RETREAT VOLUME 1, CITIES & TOWNS, PAGE, 10
6.	PRESENT ZONING:	R-1 SINGLE FAMILY RESIDENTIAL
7.	PROPOSED ZONING:	R-1 SINGAL FAMILY RESIDENTIAL
8.	EXISTING USE:	SINGLE FAMILY RESIDENTIAL
9.	PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
10.	TOTAL LAND AREA	GROSS = 10,800 SQ. FT. = 0.248 ACRES
11.	TOTAL PROPOSED LOTS	2
12.	TOTAL LOT DENSITY	8.067 UNITS PER ACRE
13.	EXISTING UTILITLY SUPPLIERS:	
	ELECTRICITY:	P. G. & E.
	GAS:	P. G. & E.
	CATV:	COMCAST
	WATER:	CAL-AM WATER COMPANY
	SEWER:	MONTEREY ONE WATER

14. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY, SUPPLEMENTED BY RECORD DATA.
15. ELEVATIONS SHOWN ARE BASED ON ASSUMED DATUM
THE BENCHMARK IS A MAG NAIL ON THE NORTHWEST CORNER OF ELEVENTH STREET AND MONTEREY AVENUE.
BENCHMARK ELEVATION = 100.00'
16. CONTOUR INTERVAL = ONE FOOT
17. TREE TYPES ARE INDICATED WHEN KNOWN. DIAMETER OF TREES ARE SHOWN IN INCHES
18. ● DENOTES A FOUND MONUMENT AS NOTED.
19. ⊙ DENOTES A FOUND CONCRETE WELL MONUMENT.

LEGEND

(E) EXISTING	FG FINISHED GRADE	50 — 49	EXISTING CONTOURS
(N) NEW	FL FLOWLINE	52 — 52	PROPOSED CONTOURS
AB AGGREGATE BASE	INV INVERT ELEVATION	—x—	(E) WOOD FENCE
AC ASPHALT CONCRETE	PL PROPERTY LINE		PROPOSED BUILDING
BW BASE OF WALL	RIM RIM ELEVATION		
C&G CURB & GUTTER	TBR TO BE REMOVED/RELOCATED		ASPHALT
CB CATCH BASIN	TC TOP OF CURB		BUILDING PAD(S)
CL CENTERLINE	TDC TOP OF DEPRESSED CURB		CONCRETE
CO CLEAN OUT	T.E TRASH ENCLOSURE		LANDSCAPING
CONC. CONCRETE	TW TOP OF WALL		
D/W DRIVEWAY	UP UTILITY POLE	XX.XX	TOP OF CURB ELEVATION
DI DROP INLET	WM WATER METER	XX.XX	FLOWLINE ELEVATION
EL OR ELEV. ELEVATION	R RADIUS		
FC FACE OF CURB	RWL RAIN WATER LEADER		
FF FINISHED FLOOR	S SLOPE		

TENTATIVE SUBDIVISION MAP

LOTS 15-20, BLOCK 128
PACIFIC GROVE RETREAT
FILED IN VOLUME 1 - CITIES & TOWNS, AT PAGE 10, RECORDS OF MONTEREY COUNTY
ASSESSOR'S PARCEL No. 006-493-006

CITY OF PACIFIC GROVE | COUNTY OF MONTEREY | STATE OF CALIFORNIA

PREPARED FOR
WILLIAM & HELEN BLUHM
BY
MONTEREY BAY ENGINEERS, INC.
607 CHARLES AVE SUITE B (831) 899-7899 SEASIDE, CA 93955

REGISTERED PROFESSIONAL ENGINEER
STEVEN C. WILSON
No. 35136
CIVIL
STATE OF CALIFORNIA
9/30/2019

SCALE: 1" = 10' | JOB NO. 18-025 | JUNE, 2019 | SHEET 1 OF 1