NOTICE OF MEETING
CITY OF PACIFIC GROVE
ARCHITECTURAL REVIEW BOARD
SPECIAL MEETING AGENDA
Tuesday, April 30, 2019, 4:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF AGENDA

3. GENERAL PUBLIC COMMENT
   General Public Comment must deal with matters subject to the jurisdiction of the City and the Architectural Review Board (ARB) that are not on the Regular Agenda. This is the appropriate place to comment as to items on the Consent Agenda, only if you do not wish to have the item pulled for individual consideration by ARB. Comments from the public will be limited to three minutes and will not receive ARB action. Comments regarding items on the Regular Agenda shall be heard prior to ARB’s consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.

4. REPORTS OF COUNCIL LIAISON

CONSENT AGENDA
The Consent Agenda deals with routine and non-controversial matters, and may include action on resolutions, ordinances, or other public hearings for which testimony is not anticipated. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of ARB, staff, or the public may remove an item from the Consent Agenda for individual consideration. When items are pulled for discussion, they will be automatically placed at the end of their respective section within the Regular Agenda. One motion shall be made to adopt all non-removed items on the Consent Agenda. Items pulled from this section will be placed under 12. Unfinished and Ongoing Business

5. A. Minutes of the March 12, 2019, ARB Regular Meeting
   Reference: Alyson Hunter, Staff liaison
   Recommended Action: Approve minutes.
   CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.
REGULAR AGENDA

6. PUBLIC HEARINGS
   For public hearings involving a quasi-judicial determination by ARB, the proponent of an item may be given 10 minutes to speak and others in support of the proponent’s position may be given three minutes each. A designated spokesperson for opposition to the item may be given 10 minutes to speak and all others in opposition may be given three minutes each. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of ARB. In public hearings not involving a quasi-judicial determination by the Board, all persons may be given three minutes to speak on the matter. Public hearings on non-controversial matters or for which testimony is not anticipated may be placed on the Consent Agenda, but shall be removed if any person requests a staff presentation or wishes to be heard on the matter.
   A. 803 Day Circle | AP 19-0066 | APN 006-623-006
      Description: Architectural Permit (AP) 19-0066 to enclose an existing 70 sq. ft. second-story balcony resulting in additional habitable living space.
      Zoning / General Plan: R-1 / Medium Density Residential (17.4 du/ac)
      Applicant / Owner: Aaron Tollefson for Jim Filice (owner)
      Coastal Zone: No   Archaeological Zone: No   Historic Resources Inventory: No
      Area of Special Biological Significance: No
      Reference: Alyson Hunter, Associate Planner
      CEQA: Exempt per Section 15301 (e) – Existing Facilities
      Recommended Action: Approve the project through the adoption of the recommended findings, conditions of approval, and Class 1 CEQA exemption.

7. FULL PRESENTATIONS
   A. California Environmental Quality Act (CEQA) Training: The Use of Categorical Exemptions and the Exceptions That Apply to Them
      Reference: Alyson Hunter, Associate Planner
      Recommended Action: Receive information
      CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.
   B. Density Bonus: A Tool to Help Implement PG’s Affordable Housing Goals
      Reference: Terri Schaeffer, Senior Program Manager and Alyson Hunter, Associate Planner
      Recommended Action: Receive information
      CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

8. BOARD AND STAFF ANNOUNCEMENTS (City-Related Items Only)

ADJOURNMENT

NOTICE OF ADA COMPLIANCE: Pursuant to Title II of the Americans with Disabilities Act (Codified At 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), and Section 504 of the Rehabilitation Act of 1973, the City of Pacific Grove does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or activities. The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of assisted listening devices will be available at this meeting. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format.
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1. Call to Order – 4:00 pm

2. Roll Call
Architectural Review Board Members: Sarah Boyle (Chair), Michael Gunby (Secretary), Jen Veitengruber, Garrett Van Zantan

Absent: Jeff Edmonds (Vice-Chair), Terrence Coen.

3. Approval of Agenda

On a motion by Member Gunby, seconded by Member Van Zanten the Board voted 4-0-2 (Members Edmonds and Coen absent) to approve the agenda. Motion passed.

4. Public Comments
   a. Written Communications
      None
   b. Oral Communications
      Lisa Ciani spoke on concerns pertaining to the Historic Preservation Ordinance.

5. Reports of Council Liaison

Mayor Bill Peake provided an update for the actions taken at the most recent City Council meeting and also advised the Board of topics coming to Council at future meetings.

6. Consent Agenda
   a. Approval of Minutes
      Approval of February 12, 2019, Minutes
      Recommended Action: Approve as presented

   b. Address: 835 Sea Palm Avenue (APN 006-074-007)
      Application #: Architectural Permit (AP) 18-1021
      Project Description: A new second-story deck on the front elevation of a two-story single-family residence. Project includes 528 sq. ft. addition to a detached garage at the rear of the lot. No tree removal is proposed.
      Zone District/ Land Use: R-1 / Medium Density to 17.4 du/ac
Coastal Zone: No   Archaeological Zone: Yes   Historic Resources Inventory: No
Area of Special Biological Significance: Yes
CEQA Status: Exempt per CEQA Guidelines Sections 15301(e) (Additions to Existing Facilities)
Applicant/Owner: Randy & Kim-Anh Scianna, Owners
Staff Reference: Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

c. Address: 1128 Shell Avenue (APN 006-023-012)
   Application #: Architectural Permit (AP) 19-0056
   Project Description: A two-story addition of 330 square feet to an existing two-story single-family residence. Project includes the replacement of an existing second-story deck with a smaller deck of 66 sq. ft. No tree removal is proposed.
   Zone District/ Land Use: R-1 / Medium Density to 17.4 du/ac
   Coastal Zone: No   Archaeological Zone: Yes   Historic Resources Inventory: No
   Area of Special Biological Significance: Yes
   CEQA Status: Exempt per CEQA Guidelines Sections 15301(e) (Additions to Existing Facilities)
   Applicant/Owner: Jeff Crockett, on behalf of Mr. & Mrs. Fred Sammis, owners
   Staff Reference: Alex Othon, Assistant Planner | aothon@cityofpacificgrove.org

On a motion by Member Gunby, seconded by Member Veitengruber, the Board voted 4-0-2 (Members Edmonds & Coen absent) to approve the Consent Agenda. Motion passed.

7. Regular Agenda

a. Address: 2816 Forest Hill Avenue (APN 007-643-010)
   Application #: Architectural Permit (AP) / Accessory Dwelling Unit (ADU) 19-0034
   Project Description: A two-story addition to include a new roof deck located on the rear of an existing two-story, single-family dwelling, and an interior conversion of 799 sq. ft. from a single-family dwelling to an accessory dwelling unit. No tree removal is proposed.
   Zone District/ Land Use: R-1 / Medium Density to 17.4 du/ac
   Coastal Zone: No   Archaeological Zone: No   Historic Resources Inventory: No
   Area of Special Biological Significance: No
   CEQA Status: Exempt per CEQA Guidelines Sections 15301(e) (Additions to Existing Facilities) and 15303(a) (Conversion of Small Structures)
   Applicant/Owner: Terry Latasa, on behalf of Jeff & Dany Langham, owners
   Staff Reference: Alex Othon, Assistant Planner | aothon@cityofpacificgrove.org

Alex Othon, Assistant Planner, provided a staff report.

Terry Latasa, the project architect, spoke on the project.

The Chair opened the floor to public comment.

The Chair closed the floor to public comment.

The Board discussed the item.

On a motion by Member Gunby, seconded by Member Veitengruber, the Board voted 4-0-2 to
approve the item, subject to findings, conditions of approval, and Class 1 and 3 CEQA exemptions. Motion passed.

b. **Address:** 112 14th Street (APN 006-182-005)  
   **Application #:** Admin. Architectural Permit (AP) 19-0005  
   **Project Description:** Extend an existing second-story deck on the front façade by four (4) feet in depth; and create two (2) new 3’ wide decks along the north and south sides of the building for a distance of 10 feet. New stairs will be developed on the north side. No tree removal is proposed.  
   **Zone District/ Land Use:** R-3-PGR / High Density to 29.0 du/ac  
   **Coastal Zone:** No  
   **Archaeological Zone:** Yes  
   **Historic Resources Inventory:** No  
   **Area of Special Biological Significance:** Yes  
   **CEQA Status:** Exempt per CEQA Guidelines Sections 15301(e) (Additions to Existing Facilities)  
   **Applicant/Owner:** Carl Alasko  
   **Staff Reference:** Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

Alyson Hunter, Associate Planner, provided a staff report.

The project applicant, Carl Alasko, spoke on the project.

The Chair opened the floor to public comment.

The following people spoke on the project:  
Betty Aecklin  
Joanie Camrarn  
Maryanne Larson Spradling  
Gordon Martin

The Chair closed the floor to public comment.

The Board discussed the Item.

**On a motion by Member Gunby, seconded by Member Van Zanten, the Board voted 4-0-2 (Members Edmonds & Coen absent) to modify the item to remove the south deck expansion, use a translucent material along the southern edge of the deck as a railing, limit the railing height to a maximum of 42 inches, and approve the project subject to findings, conditions of approval, and a Class 1 CEQA exemption.**

8. **Reports of ARB Members**  
   Member Gunby provided an update on the Downtown Commercial Design Guidelines.

9. **Staff Update**  
   Alyson Hunter, Associate Planner, provided information on the Historic Resources Inventory update and upcoming training opportunities.

10. **Adjournment – 4:58 p.m.**  
    Next meeting: April 9th, 2019
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TO: Chair Boyle, Members of the Architectural Review Board

FROM: Alyson Hunter, Associate Planner

MEETING DATE: April 9, 2019

SUBJECT: Architectural Permit (AP) 19-0066 to enclose an existing 70 sq. ft second-story deck resulting in an expansion to the existing master bedroom. The existing door will be removed and two new windows will be added.

ADDRESS: 803 Day Circle (APN 006-623-006)

ZONING/LAND USE: R-1 / Medium Density to 17.4 du/ac (Day’s Acre Subdivision)

APPLICANT: Aaron Tollefson, Applicant for Jim Filice, Owner

CEQA: Categorical Exemption, Section 15301, Class 1, Existing Facilities

RECOMMENDATION
Approve the Architectural Permit as submitted subject to findings, conditions of approval and a Class 1, CEQA exemption for minor alterations to existing facilities.

BACKGROUND
The applicant submitted an Architectural Permit (AP) application to enclose an existing 70 sq. ft. second-story balcony. The project will result in additional storage and a laundry room attached to the existing master bedroom. The existing balcony is accessed by a door from the master bathroom which will be removed and replaced with two (2) windows located high on the wall below the eave overhang. The new wall will be in line with the existing exterior wall below which is located 4’6” from the north property line.

DISCUSSION
The project conforms to the development standards of the R-1 zoning district, including setbacks which, on the subject lot are 4.5’ or 10% of the lot width (45’). No additional building or site coverage is proposed as the enclosure is currently over the garage and no expansion of the footprint is proposed. If approved, the balcony enclosure will result in a total square footage of 2,367 sq. ft.

ZONING & GENERAL PLAN COMPLIANCE
Applicable General Plan Policies
The Pacific Grove General Plan provides a framework for future growth and development within the City of Pacific Grove (City). The Land Use Element includes goals and policies 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. The
project is in conformance with the Medium Density Residential land use designation, which allows for a density of up to 17.4 dwelling units per acre. This project helps the City achieve policies listed in the General Plan including:

Chapter 2, Land Use

Policy 3: Balance a property owner’s ability to develop with the desirability of maintaining neighborhood character.

Chapter 3, Housing

Policy 1.1: Encourage rehabilitation and private reinvestment to protect residential neighborhoods from deterioration.

Applicable Zoning Code Regulations
The project will meet the requirements set forth in the Pacific Grove Municipal Code (PGMC) §23.16, including yard setbacks, building and site coverage, building height, parking, etc.

Architecture and Design Considerations
The project will utilize the same smooth cement plaster exterior finish and black aluminum slider windows as are existing elsewhere on the two-story, single-family residence built in 1987. In following the Architectural Review Guidelines, the project will improve privacy for the neighbor to the north (Guidelines 6 and 7), will not block views (Guideline 9), will be in proportion to other structures nearby (Guideline 32), and will use exterior finishes that are found elsewhere in the subdivision (Guideline 38) and will be only nominally visible from the public right-of-way. Furthermore, the Window Guidelines (Appendix IV) allow vinyl or aluminum/metal frame windows on non-historic buildings if they will be visually insignificant.

There is no exterior lighting associated with the project.

ENVIRONMENTAL DETERMINATION
The proposed project qualifies for a Class 1 exemption from CEQA requirements, pursuant to Guidelines 15301(e) – Additions to Existing Facilities that will result in an increase in total floor area of less than 50%. The proposed balcony enclosure is less than fifty percent of the floor area of the structure before the addition.

The exceptions described in §15300.2 of the CEQA Guidelines do not pertain to the Class 1 categorical exemption.

ATTACHMENTS
A. Application
B. Project Data Sheet (See Plans)
C. Draft Permit
D. CEQA Exemption
E. Proposed Plans

RESPECTFULLY SUBMITTED:

Alyson Hunter, Associate Planner
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

Project Address: 803 Day Circle
APN: 006 - 023 - 000

Project Description: Enclose existing 70 sq. ft. deck space on second story to habitable space for both living and storage.

Will the project create, add, or replace impervious surface? ☑ No
Will the project impact any tree(s) on site? ☑ No

Applicant
Name: Aaron Tellefsen
Phone: (831) 578 - 3450
Email: aaron.tellefsen@skyglobal.net
Mailing Address: 957 Angelus Way Del Rey Oaks, CA 93940

Owner
Name: Mr. Jim Filice
Phone: (408) 221 - 3449
Email: -
Mailing Address: 803 Day Circle Pacific Grove, CA 93950

Permit Request:
☑ CRD: Counter Determination
☐ AP: Architectural Permit
☐ AAP: Administrative AP
☐ ADC: Arch Design Change
☐ ASP: Admin Sign Permit
☐ SP: Sign Permit
☐ UP: Use Permit
☐ AUP: Administrative UP
☐ ADU: Acc. Dwelling Unit
☐ LLA: Lot Line Adjustment
☐ IHS: Initial Historic Screening
☐ HPP: Historic Preservation
☐ A: Appeal
☐ TPD: Tree Permit W/ Dev’t
☐ EIR: Environmental Impact
☐ VAR: Variance
☐ MMP: Mitigation Monitoring
☐ Stormwater Permit
☐ 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 #: PG BP 19 - 0220

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

Property Information
Lot: 6
ZC: R-1
☒ Historic Resources Inventory
☐ Archaeologically Sensitive Area

Staff Use Only:
Received by: AD
Assigned to: AH

(Received Jan 30, 2019)

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INDEMNIFICATION CONDITION

In consideration for City review and approval of application in this matter, the Owner/Applicant shall indemnify, defend, protect and hold harmless the City, its elected and appointed officials, officers, agents, and employees (collectively “Indemnitees”), using counsel approved in writing by the City, from and against, any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorneys’ fees and disbursements which may accrue against Indemnitees by reason of the City’s processing, approval or denial of the request and application in this matter. Indemnification shall include, but shall not be limited to any action, or proceeding brought to attack, set aside, void, annul, limit, or inhibit the approval of the application referenced above, and shall expressly include causes of action under the California Environmental Quality Act (CEQA), or the National Environmental Policy Act (NEPA).

The obligation to indemnify shall include, but not be limited to, all costs relating to preparing administrative records, investigations, responses to discovery, retention of experts, and other costs, including attorney’s fees or obligations related to this matter, including actions brought by the Owner/Applicant and also extend to any expense incurred in establishing the City’s right to indemnification. City expenses shall be paid by Owner/Applicant upon City request notwithstanding final disposition of the matter has not yet occurred. If the City is later determined to not be entitled to indemnification, the City shall repay amounts so advanced.

This indemnification condition is the Owner/Applicant’s inducement to the City to process and approve the application, which approval would otherwise be withheld by City due to its concern for liability or expense that may result from performance of the City’s duties. Should any dispute arise regarding interpretation of this condition, the prevailing party shall recover all reasonable costs incurred, including court costs, attorney fees and related expenses. Recovery of expenses shall be as additional costs awarded to the prevailing party, and shall not require initiation of a separate legal proceeding.

This indemnification condition shall not require the Owner/Applicant to indemnify the City or other Indemnities: (a) to the extent that an obligation is actually paid by an insurer pursuant to an insurance policy; (b) in connection with any remuneration paid to the City, if it shall be finally adjudged that such remuneration was in violation of law; or (c) on account of the City’s misconduct if such misconduct shall be finally adjudged to have been knowingly fraudulent, deliberately dishonest or willful.

Any permit or other approval given by the City to the Owner/Applicant Guarantor shall be valid only so long as this indemnification condition is given full force and effect. If this indemnification condition is revoked, the permit or other approval of the City shall then become null and void.

Owner/Applicant represents it (and any subsidiary) is (a) duly formed and organized, (b) validly existing and in good standing under state law, and (c) has all necessary power to execute and deliver this document and perform its obligations. Owner/Applicant also represents it is authorized to enter into this agreement by all requisite partnership, corporate or other action, and its terms are a valid and legally binding obligation. Neither execution nor delivery of this document nor performance of its obligations will violate any law or provision of any agreement, articles of incorporation, by-laws or other organizational or governing documents relating to Owner/Applicant, nor conflict with any court order relating to Owner/Applicant.

Applicant Signature: [Signature]

Date: 05/25/19

Owner Signature (Required):

[Signature]

Date: 05/25/19

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revised 8/16/2018
# Planning Permit Fee Calculation

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## Additional Fees

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**Total Fees:** $3,438.85

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revised 1/3/2019

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ARCHITECTURAL PERMIT 19-0066
FOR A PROPERTY LOCATED AT 803 DAY CIRCLE TO ENCLOSE AN EXISTING SECOND-STORY BALCONY TO CONVERT TO LIVING SPACE

FACTS
1. The subject site is located at 803 Day Circle, Pacific Grove, CA 93950 APN 006-623-006
2. The subject site has a designation of Medium Density Residential (17.4 du/acre) on the adopted City of Pacific Grove General Plan Land Use Map.
3. The project site is located in the R-1 zoning district.
4. The subject site is ± 6,359 (gross) square feet in size (± 4,185 sq. ft. net).
5. The subject site is developed with a residence that was built in 1987. It is not on the Historic Resources Inventory.
6. The subject site is not located in the Archaeological Zone, the Coastal Zone, or the Area of Special Biological Significance Watershed.
7. This project has been determined to be CEQA Exempt under CEQA Guidelines Section 15301, Class 1(e), Minor Additions to Existing Facilities

FINDINGS
Findings Required for Approval per §23.70.060(f). The Board shall determine from the materials submitted whether:

(1) The architecture and general appearance of the completed project are compatible with the neighborhood;

(2) The completed project will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood; and

(3) The board has been guided by and has made reference to applicable provisions of the architectural review guidelines, specifically Nos. 6, 7, 9, 32, and 38, in making its determinations on single-family residences.

PERMIT
Architectural Permit (AP) 19-0066 to enclose an existing 70 sq. ft. second-story balcony resulting in additional habitable living space.

Per Pacific Grove Municipal Code 23.70.030(2) (C) with the following conditions:

CONDITIONS OF APPROVAL
1. **Permit Expiration.** This permit shall expire and be null and void if a building permit has not been applied for within one (1) year from and after the date of approval. Application for extension of this approval must be made prior to the expiration 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 Architectural Review Board approval.

3. **Terms and Conditions.** These terms and conditions shall run with the land, and it is the intention of the CDD 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. **Public Works, Fire and Building.** Review and approval by the Public Works, Fire and Building Departments are required prior to issuance of a building permit. Work taking place in the public right-of-way shall require an encroachment permit prior to issuance of the building permit.

5. **Conformance to Plans.** Development of the site shall conform to approved plans for “803 Day Circle” stamped **APPROVED** by the ARB at its 4/09/19 meeting and on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.

6. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full size sheet and included with the construction plan set submitted to the Building Department.

NOW, THEREFORE, BE IT RESOLVED BY THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF PACIFIC GROVE:

1. The Board 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 Board authorizes Approval of Architectural Permit (AP) 19-0066 through the adoption of CEQA Guidelines Categorical Exemption, Section 15301(e), Class 1, for Minor Additions to Existing Structures.

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 AT A REGULAR MEETING OF THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF PACIFIC GROVE ON THE 30th DAY OF APRIL, 2019, BY THE FOLLOWING VOTE:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTENTIONS:**

**APPROVED:**

_______________________________
Sarah Boyle, Chair

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.

_____________________________________________________________
Jim Filice, owner Date
NOTICE OF EXEMPTION FROM CEQA

Property Address/Location: 803 Day Circle, Pacific Grove, CA 93950

File No. AP 19-0066

Project Description: Architectural Permit (AP) 19-0066 to enclose an existing 70 sq. ft second-story deck resulting in an expansion to the existing master bedroom. The existing door will be removed and two new windows will be added.

APN: 006-623-006
ZC: R-1 GP: Residential Medium Density Lot Size: 6,359 sq. ft.

Applicant Name: Jim Filice (Owner) Phone #: 408-221-3449
Mailing Address: 803 Day Circle, Pacific Grove, CA 93950
Email Address: aarontolley@sbcglobal.net (applicant email)

Public Agency Approving Project: City of Pacific Grove, Monterey County, California

Exempt Status (Check One):
- Ministerial (Sec. 21080(b)(1):15268))
- Declared Emergency (Sec. 21080(b)(3): 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption
  Type and Section Number: Enter section number: Class 1, Section 15301(e)
- Statutory Exemptions
  Type and Section Number: _____________________________
- Other: ______________________________________________

Exemption Findings:
The proposed balcony conversion is less than fifty percent of the floor area of the structure.

The exceptions described in §15300.2 of the CEQA Guidelines relating to location, cumulative impacts, significant effects, hazardous waste sites, scenic highways, or historical resources do not pertain to the Class 1 categorical exemption.

Contact: Alyson Hunter, Associate Planner Contact Phone: (831) 648-3127
Signature: Alyson Hunter Date: May 1, 2019
NEW DECK ENCLOSURE ADDITION FOR FILICE RESIDENCE

803 Day Circle
Pacific Grove, California 93950

GENERAL NOTES

1. ENCLOSURE OF EXISTING DECK SPACE 75 SQ. FT. TO HABITABLE SPACE FOR MASTER BATH AND LAUNDRY.

SCOPE OF WORK

APPLICABLE CODES

THESE PROJECT SHALL COMPLY WITH ALL CURRENT CODES LISTED AS FOLLOWS:

2016 CALIFORNIA RESIDENTIAL CODE
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 TITLE 24 ENERGY COMPLIANCE

GENERAL NOTES

1. PRE-CONSTRUCTION MEETING IS REQUIRED BEFORE START OF CONSTRUCTION.
2. SHEAR WALLS WITH MALLING REQUIREMENTS TIGHTER THAN 4" O.C. REQUIRE A THIRD Party INSPECTION AND APPROVAL.
3. SEWER BACKWATER VALVE AND SEWER RELIEF VENT SHALL BE PROVIDED TO ALL EXISTING SEWER SYSTEMS.
4. SITE COVERAGE:
   - TOTAL SITE COVERAGE: 2,622 SQ. FT. (41.23% SITE COVERAGE)
   - (E) RESIDENCE: 1,816 SQ. FT.
   - (E) ATTACHED GARAGE: 350 SQ. FT.
   - (E) DECK ENCLOSURE ADDITION: 170 SQ. FT.
   - (E) DECK: 70 SQ. FT.
   - (E) PICKET: 70 SQ. FT.
   - TOTAL: 2,622 SQ. FT. (41.23% SITE COVERAGE)

FIRE19 - DEFENSIBLE SPACE REQUIREMENTS (STANDARD)

3. SITE COVERAGE:
   - TOTAL SITE COVERAGE: 2,622 SQ. FT. (41.23% SITE COVERAGE)

FIRE007 - DRIVEWAYS

- DRIVEWAY ENTRANCE:
  - MINIMUM HORIZONTAL INSIDE RADIUS OF CURVATURE SHALL BE 28 FEET.
- DRIVEWAY SPECIFICATIONS:
  - SHALL BE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS (22 TONS), AND BE ACCESSIBLE ASPHALTIC CONCRETE ON 0.34 FEET OF AGGREGATE BASE SHALL BE REQUIRED. THE DRIVEWAY SURFACE SHALL BE SPRAYED WITH A MINIMUM OF 25-FOOT TAPAGE AT BOTH ENDS. TURNAROUNDS SHALL BE REQUIRED ON DRIVEWAYS IN EXCESS OF 800 FEET.

FIRE019 - DEFENSIBLE SPACE REQUIREMENTS (STANDARD)

1. Site Familiarization:
   - When not specifically noted otherwise on the drawings.

FIRE12 - SMOKE DETECTORS

1. Smoke Detectors shall be installed in the hallway and in the adjacent room.
2. Detectors in dwelling units where the ceiling height of a room open to the hallway by 24" or more, or repairs with a valuation of $1,000 or more require that smoke detectors be installed.
3. Required smoke detectors shall receive primary power from building wire. Additions installed in each sleeping and each story and in the basement (where applicable).

FIRE13 - CARBON MONOXIDE DETECTORS

1. Carbon Monoxide Detectors shall be installed in the hallway.
2. Detectors located in the corridor or area giving access to bedrooms.
3. Carbon Monoxide detectors shall be installed in the hallway.

FIRE005 - ELECTRICITY

1. All new structures and all existing structures receiving new roofing over 25 percent or more shall be equipped with arc fault circuit interrupters (a.f.c.i.s.) and ground fault circuit interrupters (g.f.c.i.s.) on all kitchen receptacles.
2. Outdoors, in garages, in bathrooms and within 6 feet of kitchen sinks above countertops.

FIRE007 - DRIVEWAYS

1. Driveway entrance:
   - Minimum horizontal inside radius of curvature shall be 28 feet.
   - For all driveway entrances, the minimum horizontal inside radius of curvature shall be 28 feet.
   - The minimum horizontal inside radius of curvature shall be 28 feet. All driveways shall be designed to be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible with asphaltic concrete on 0.34 feet of aggregate base shall be required. The drive surface shall be sprayed with a minimum of 25-foot tapage at both ends. Turnarounds shall be required on driveways in excess of 800 feet.

FIRE019 - DEFENSIBLE SPACE REQUIREMENTS (STANDARD)

1. Site Familiarization:
   - When not specifically noted otherwise on the drawings.
New North Exterior Elevation

Existing North Exterior Elevation

New West Exterior Elevation

Existing West Exterior Elevation

Aaron S. Tollefson, Designer

New Addition
For:
803 Day Circle
Pacific Grove, California
A.P.N.: 006-623-006

Filice Residence

NEW DECK ENCLOSURE ADDITION

DOOR SYSTEM

WINDOW

SECTIONAL GARAGE DOOR

50 YR. COMPOSITION ROOFING

RAILING TO DECK TO REMAIN

SMOOTH CEMENT PLASTER EXTER. FIN.

SMOOTH CEMENT PLASTER EXTER. FIN.

SMOOTH CEMENT PLASTER EXTER. FIN.

SMOOTH CEMENT PLASTER EXTER. FIN.

Existing West Exterior Elevation

1/4" = 1'-0"

Existing North Exterior Elevation

1/4" = 1'-0"

New West Exterior Elevation

1/4" = 1'-0"

New North Exterior Elevation

1/4" = 1'-0"
ELECTRICAL NOTES:

1. All work shall be performed in accordance with the NEC, NFPA 70, and all applicable codes, regulations, and standards.
2. Furnish labor and material and install all electrical work complete, including the installation of electrical wire and cable, in accordance with the NEC, NFPA 70, and all applicable codes, regulations, and standards.
3. Submit to the owner one (1) marked-up print of "as-built" conditions of all work and materials that are to be installed.
4. ELECTRICAL CONTRACTOR SHALL PROVIDE ALL NECESSARY FACILITIES FOR TEMPORARY CONSTRUCTION POWER. EXPENSE DUE TO FAILURE TO MAKE SUCH EXAMINATION.
5. ELECTRICAL CONTRACTOR SHALL PROVIDE ALL NECESSARY FACILITIES FOR TEMPORARY CONSTRUCTION POWER. EXPENSE DUE TO FAILURE TO MAKE SUCH EXAMINATION.
6. ELECTRICAL CONTRACTOR SHALL PROVIDE ALL NECESSARY FACILITIES FOR TEMPORARY CONSTRUCTION POWER. EXPENSE DUE TO FAILURE TO MAKE SUCH EXAMINATION.
7. PROVIDE AT LEAST ONE RECEPTACLE WITH GFCI PROTECTION WITHIN 3'-0" FROM BASIN,
8. LIGHT FIXTURES TO BE INSTALLED WITHIN 12" OF AN OPENING FOR FUTURE LOCATION OF A COUNTER OR CABINET, WHICH WILL INCREASE EXPOSURE TO THE AREA WHERE A CHILD, PERSON WITH A SEVERE COGNITIVE OR PHYSICAL IMPAIRMENT, OR AN ELDERS WILL BE REASONABLY REASONABLE, THE POINT OF DISCHARGE SHALL BE REMOVED FROM THE OCCUPIED PORTION OF THE HOUSE.
9. GFCI PROTECTION SHALL BE REQUIRED FOR ORIGINAL APPLICATION OF A WHIRLPOOL BATHTUB.
10. SMOKE DETECTORS TO BE INTERCONNECTED TO SOUND AN ALARM AUDIBLE IN ALL BEDROOMS OF THE HOUSE.
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TO: Chair Boyle and Members of the Architectural Review Board

FROM: Alyson Hunter, Associate Planner

MEETING DATE: April 30, 2019

SUBJECT: California Environmental Quality Act (CEQA) Training: The Use of Categorical Exemptions and the Exceptions That Apply to Them

CEQA: Does Not Constitute a “Project” per California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION
Receive a presentation by Planning staff accompanied by a PowerPoint presentation, review the attached handout and conduct a question and answer period if needed.

BACKGROUND
The Architectural Review Board (Board) was created by ordinance to grant architectural approval where required by City zoning laws in order to promote the orderly and harmonious development of the City and to protect the City’s architectural heritage. It is asked to make a finding of compliance with CEQA on nearly every development project that it reviews and takes action on. Periodically, staff provides training on CEQA and, specifically, the exemptions that apply to the majority of the projects that the Board reviews.

DISCUSSION
The attached handout provides a brief summary of what CEQA is, how and why it was created and how government agencies are required to apply the statute to projects that come through the Community Development Department. The handout defines “project”, statutory and categorical exemptions, and the exceptions that apply these exemptions. The handout also includes a CEQA Process Flow Chart that shows the path from application submittal to the decision on a project.

COMPLIANCE WITH CEQA
Not a project per §15378 of the CEQA Guidelines.

RESPECTFULLY SUBMITTED BY:

Alyson Hunter
Associate Planner

Attachment
1. CEQA Training Handout on Exemptions/Exceptions
California Environmental Quality Act (CEQA)
Public Resources Code §§21000
An Overview of Exemptions and Exceptions
What is CEQA?

- California Environmental Quality Act
- Public Disclosure law
- CEQA requires state & local agencies to consider environmental impacts of both public and private projects before plans, policies or actions are approved.
- Mitigations must be implemented
CEQA History

- NEPA – National Environmental Policy Act signed by President Nixon - 1969
- CEQA Enacted in California - 1970
- Signed by Governor Reagan
- Public Resources Code - §§21000
Is It a “Project”?

- Entire action that may directly or indirectly affect the environment. §15378(a)

- §15378(b) – Examples that are not Projects:
  - Administrative acts (e.g. purchase of supplies)
  - Placing a voter initiative on the ballot
  - Organizational acts such as forming a committee
Common Process Mistakes

Segmenting or piecemealing projects to avoid or minimize CEQA evaluation
Is It a “Project”?

Yes

- Build 6 homes
- Permit Hotel
- Expand Youth Center
- Install Traffic Light
- Pave Road

No

- Repair or Install a roof
- Approve a budget
- Enter into a lease
- Hire Landscape Firm
- Add New Staff
If *not* a Project, CEQA review is complete!
Even though it’s a Project...
Is it Exempt?

- Statutory
- Categorical
Statutory Exemptions

Guidelines §§ 15260 et. seq.

Set by Legislature (examples):

- Projects that are NOT approved
- Olympics Games
- Family Day Care Homes
- Pipelines
- Ministerial Non-discretionary Acts - building permits, licenses or single utility connections
- Regional Housing Need Allocations (RHNA)
Categorical Exemptions

Guidelines §§ 15300 et. seq.

Set by Secretary of Resources

(commonly used examples):

• Repair Existing Facilities - Class 1
• Replace/Reconstruct - Class 2
• Small Structure Construction - Class 3
• Minor Land Alterations - Class 4
• 33 different Exemptions
Exceptions to Categorical Exemptions

Exemptions cannot apply if:
- Unusual circumstances
- Cumulative impacts from other projects, or
- Uniquely sensitive environment

CEQA Guidelines §15300.2
The trail to a CEQA Decision...

Project **Not** Exempt . . . What Next?

Evaluate Project to determine if it **may** have a **Significant Effect** on the environment. If so, lead agency must prepare an Initial Study to determine what type of environmental document required:

- Negative Declaration,
- Mitigated Negative Declaration, or
- Environmental Impact Report (EIR)
And while we are at it...

**what is a Significant Effect?**

- **Substantial** (or potentially substantial) adverse change to conditions in Project area (consider land, water, air, flora, fauna, noise, and historic or aesthetic significance).

- Social or economic change alone is **not** a significant effect on the environment (§15382)
Generalized CEQA Process Flow Chart

Is your project statutorily exempt?
  YES
  NOE (Notice of Exemption)
  NO

Is your project categorically exempt?
  YES

Lead Agency prepares Initial Study

Analysis shows impacts were previously analyzed in prior EIR, Program EIR or Master EIR
  YES
  Finding of no new impact, can prepare a ND or MND
  NO

Analysis shows there could be potential significant impacts
  YES
  MND
  If all potential significant impacts can be eliminated or reduced to less than significant, a MND can be prepared. Changes and mitigation measures must be agreed upon by the project proponent and the Lead Agency prior to public review of the MND.
  NO
  EIR
  If all adverse impacts cannot be eliminated or reduced to less than significant with mitigation, an EIR must be prepared. No agreement is required between project proponent and Lead Agency before public review of the EIR.
  OR

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Resources

- CEQA Guidelines – http://ceres.ca.gov/ceqa/
- FAQs – http://ceres.ca.gov/ceqa/more/faq.html
TO: Chair Boyle and Members of the Architectural Review Board
FROM: Terri C. Schaeffer, Senior Program Manager
MEETING DATE: April 30, 2019
SUBJECT: Overview of Chapter 23.79 Density Bonus Regulations

CEQA STATUS Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION Receive report.

DISCUSSION
Pacific Grove Municipal Code (PGMC) Chapter 23.79 provides incentives for the production of housing for low- and moderate-income, or senior households in accordance with state density bonus law. It is the intent of the city of Pacific Grove to facilitate development of affordable housing and to implement the goals, objectives and policies of the city’s housing element.

PGMC §23.79.020 Implementation
(a) To facilitate the provision of affordable housing, the city shall grant a density bonus and other incentives and concessions for residential developments in conformance with Government Code Section 65915 et seq., as may be amended from time to time.

(b) Affordable housing units produced pursuant to this chapter shall be administered by a city-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the city based on documentation supplied by the property owner, in conformance with State Density Bonus Law.

The PGMC also allows for the implementation of density bonus incentives in accordance with state law and the City’s Housing Element.

Goal 2: Provide diverse, high quality housing choices appropriate for residents at all income levels.

Policy 2.3 Encourage affordable housing development by providing incentives, working with developers to identify appropriate locations, and helping to offset the cost of affordable housing development.

Program 2.3.a Density Bonus
The City shall ensure that zoning regulations are in conformance with state Density Bonus Law (California Government Code §65915). To ensure successful
implementation, the City will encourage developers to utilize the density bonus provisions to increase the number of units in the underlying zone in return for construction of lower-income housing (extremely-low-, very-low-, and low-income units) by providing workable incentives that improve the financial feasibility of a project. When affordable units are provided, they shall be interspersed with market-rate units in the project and shall be visually indistinguishable from market rate units. The City will make information regarding density bonus incentives available to developers via the City’s website and through an informational brochure at the Planning Division counter.

Timeframe: Implementation of density bonus for projects is ongoing; Promotion of density bonus incentives is ongoing

Housing Objective: 1 extremely-low-, 4 very-low-, and 15 low-income units

Density bonus applications may be submitted by a project developer for approval at the outset to gain incentives for providing lower income housing units as part of the residential or mixed use project. Those incentives may include an increase in the number of units allowed, a decrease in parking requirements and exceptions to development standards for height and set-back requirements.

Staff will soon be preparing and circulating a handout which would describe the permit path, affordability options and incentives.

What does this mean for the ARB? Projects that qualify for a density bonus with exceptions to development standards must be approved by the ARB with these exceptions recognized in the Findings for approval. The project’s affordable units will be monitored by the Housing Division.

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.

GOAL ALIGNMENT
This agenda item is consistent with City Council Goal – Increase Affordable Housing: Determine policies, projects and programs that will advance the effort to create new affordable housing.

ATTACHMENTS
1. 2018 Income Guidelines

RESPECTFULLY SUBMITTED:

______________________________
Terri C. Schaeffer
Senior Program Manager
The following table reflects the recently received HUD CDBG income guidelines for Pacific Grove and Monterey County effective June 1, 2018. Income levels are used to define eligibility for City affordable housing and rehabilitation loan programs. These figures will be used until updated by HUD in 2019. Note: Median and Moderate Income levels are based on State HCD Income Limits effective 4/1/18.

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<thead>
<tr>
<th>NUMBER OF PEOPLE IN HOUSEHOLD</th>
<th>MAXIMUM INCOME</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
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<tbody>
<tr>
<td><strong>EXTERMELY LOW</strong></td>
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<tr>
<td>Annual ($)</td>
<td>17,550</td>
<td>20,050</td>
<td>22,550</td>
<td>25,050</td>
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<td>Monthly ($)</td>
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<td>1,671</td>
<td>1,879</td>
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<td>30% of Monthly ($)</td>
<td>439</td>
<td>501</td>
<td>564</td>
<td>626</td>
<td>678</td>
<td>728</td>
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<td><strong>VERY LOW INCOME</strong></td>
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<td>Annual ($)</td>
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<td>33,400</td>
<td>37,600</td>
<td>41,750</td>
<td>45,100</td>
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<td>Monthly ($)</td>
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<td>2,783</td>
<td>3,133</td>
<td>3,479</td>
<td>3,758</td>
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<td>30% of Monthly ($)</td>
<td>731</td>
<td>835</td>
<td>940</td>
<td>1,044</td>
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<td><strong>LOWER INCOME</strong></td>
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<td>4,590</td>
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<td>30% of Monthly ($)</td>
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<td>Annual ($)</td>
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<td>Monthly ($)</td>
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<td>5,013</td>
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<td>30% of Monthly ($)</td>
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<td><strong>MEDIAN INCOME</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Annual ($)</td>
<td>48,350</td>
<td>55,300</td>
<td>62,200</td>
<td>69,100</td>
<td>74,650</td>
<td>80,150</td>
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<tr>
<td>Monthly ($)</td>
<td>4,029</td>
<td>4,608</td>
<td>5,183</td>
<td>5,758</td>
<td>6,221</td>
<td>6,679</td>
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</tr>
<tr>
<td>30% of Monthly</td>
<td>1,209</td>
<td>1,383</td>
<td>1,555</td>
<td>1,728</td>
<td>1,866</td>
<td>2,004</td>
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</tr>
<tr>
<td><strong>MODERATE</strong></td>
<td></td>
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</tr>
<tr>
<td>Annual ($)</td>
<td>57,700</td>
<td>65,950</td>
<td>74,200</td>
<td>82,450</td>
<td>89,050</td>
<td>95,650</td>
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</tr>
<tr>
<td>Monthly ($)</td>
<td>4,808</td>
<td>5,496</td>
<td>6,183</td>
<td>6,871</td>
<td>7,421</td>
<td>7,971</td>
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</tr>
<tr>
<td>30% of Monthly ($)</td>
<td>1,443</td>
<td>1,649</td>
<td>1,855</td>
<td>2,061</td>
<td>2,226</td>
<td>2,391</td>
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</table>

*State HCD Income Limits Effective 4/1/18