NOTICE OF MEETING
CITY OF PACIFIC GROVE
PLANNING COMMISSION
REGULAR MEETING AGENDA
Thursday, August 8, 2019, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

AGENDA

CALL TO ORDER

1. APPROVAL OF AGENDA

2. COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)

3. COUNCIL LIAISON ANNOUNCEMENTS

4. GENERAL PUBLIC COMMENT

   General Public Comment must deal with matters subject to the jurisdiction of the City and the Planning Commission 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 the Planning Commission. Comments from the public will be limited to three minutes and will not receive Planning Commission action. Comments regarding items on the Regular Agenda shall be heard prior to Planning Commission’s consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Planning Commission in advance of the meeting, to provide adequate time for its consideration.

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 the Planning Commission, 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 5. Regular Agenda.

5. A. Approval of Minutes of the June 20, 2019, PC Regular Meeting

   Reference: Alex Othon, Staff liaison
   Recommended Action: Approve minutes.
   CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

B. June 11, 2019 Architectural Review Board Minutes

   Staff Reference: Anastazia Aziz, Director
   Recommended Action: Receive approved minutes.
   CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378
C. June 26, 2019 and July 8, 2019 Historic Resources Committee Minutes
   Staff Reference: Anastazia Aziz, Director
   Recommended Action: Receive approved minutes.
   CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines
   Section 15378

REGULAR AGENDA

7. PUBLIC HEARINGS
   For public hearings involving a quasi-judicial determination by the Planning Commission, 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 the Planning Commission. In public hearings not involving a quasi-judicial determination by the Planning Commission, 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. Title 24 Subdivision Ordinance Revisions
   Description: Amendments to the City’s Subdivision Ordinance to bring the ordinance into greater conformity with the Subdivision Map Act.
   Staff Reference: Anastazia Aziz, AICP, Director
   Recommended Action: Recommend approval of proposed Title 24 and related Title 23 amendments to City Council.
   CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines
   Section 15378

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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CALL TO ORDER

- Commissioners Present: (5) Robin Aeschliman, Jeanne Byrne, Mark Chakwin (Secretary), Steven Lilley (Vice-Chair), Donald Murphy (Chair)
- Commissioners Absent: (2) Bill Bluhm, William Fredrickson

1. APPROVAL OF AGENDA

On a motion by Commissioner Byrne, seconded by Commissioner Aeschliman, the Commission voted 5-0-2 (Commissioners Bluhm and Fredrickson absent) to switch the order of items 6.A. and 7.A. Motion Passed.

2. COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)

None

3. COUNCIL LIAISON ANNOUNCEMENTS

- City Council Mayor Pro-Tem, Dr. Robert Huitt, provided an update from the latest City Council meeting, and issues that the Council is working on now and in the near future.  
  (Please refer to the Audio Recording for details)

4. GENERAL PUBLIC COMMENT

- Jane Haines reminded the Planning Commission about her email on affordable housing; and requested that the Planning Commission do two things: 1) agendize Pacific Grove’s parking requirements, and 2) consider setting aside all revenue received from parking space requirements for construction of new parking structures; and to consider building a dual-use parking & affordable housing structure in the city.  
  (Please refer to the Audio Recording for details)

CONSENT AGENDA
5. A. Approval of Minutes of the May 2, 2019, PC Regular Meeting

Reference: Alex Othon, Staff liaison
Recommended Action: Approve minutes.
CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378

On a motion by Commissioner Byrne, seconded by Vice Chair Lilley, the Commission voted 5-0-2 (Commissioners Bluhm and Fredrickson absent) to approve the consent agenda and approve the minutes from the Planning Commission’s June 6, 2019, meeting. Motion Passed.

REGULAR AGENDA
[Item 7.A. was reordered for consideration before Item 6.A.]

7. PUBLIC HEARINGS
A. Address: 983, 985, 987 Piedmont Ave., Pacific Grove (APNs 007-611-023, -024, -025)
Application #: Zoning Map Amendment (ZA) 18-0663
Description: The Planning Commission is requested to provide a recommendation to the City Council on an owner-initiated Zoning Map Amendment to change the subject properties’ zoning from Planned Unit Development (PUD) to Residential Single-Family (R-1). The amendment is requested to facilitate a lot line adjustment between 983 and 985 Piedmont which will be reviewed by a separate review authority. No new development is proposed at this time.
Zone District/General Plan Designation: Planned Unit Development (PUD) /Low Density Residential (RL)
Coastal Zone: No Historic Resources Inventory: No
Area of Special Biological Significance: No
CEQA Status: Exempt from CEQA per §15061(b)(3) which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment.
Recommendation: Staff recommends that the Planning Commission make a recommendation of approval to the City Council which will be the final review authority for the Zoning Map Amendment.
Staff Reference: Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

- Alyson Hunter, Associate Planner, provided a staff report and answered questions
  (Please refer to the Audio Recording for details)

- Commissioners Byrne and Aeschliman each disclosed knowing the applicant, but reaffirmed that this did not affect their ability to be fair and impartial in the hearing.

The Chair opened the floor to public comment
  (Please refer to the Audio Recording for details)

- Gary Wilson, applicant and owner of 983 Piedmont Ave., spoke in support of the item.

The Chair Closed the floor to public comment

- The Commission discussed the item.
  (Please refer to the Audio Recording for details)
On a motion by Commissioner Byrne, seconded by Vice Chair Lilley, the Commission voted 5-0-2 (Commissioners Bluhm and Fredrickson absent) to recommend approval of the proposed zoning map amendment, findings and conditions, and a §15061(b)(3) CEQA exemption to the City Council. Motion Passed.

FULL PRESENTATIONS

[Item 6.A. was reordered for consideration after Item 7.A.]

6. A. Presentation on Regional Housing Updates
   Presenter: Heather Adamson, AICP, Director of Planning at AMBAG.
   Staff Reference: Terri Schaeffer, Senior Program Manager
   Recommended Action: Receive information.
   CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

   - Heather Adamson, AICP, Director of Planning at AMBAG, provided a presentation on AMBAG and State and Housing plans and initiatives report; and answered questions.
     (Please refer to the Audio Recording for details)

[Commissioner Byrne departed at 19:06 p.m.]

   The Chair opened the floor to public comment
   None

   The Chair Closed the floor to public comment

   - The Commission thanked Ms. Adamson for the informative presentation and comments.
     (Please refer to the Audio Recording for details)

ADJOURNMENT

   - The meeting was adjourned at 7:19 p.m.

   - Next meeting is scheduled for July 18th, 2019.

______________________  _________________________
Mark Brice Chakwin, Secretary                    Date
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MINUTES
CITY OF PACIFIC GROVE
ARCHITECTURAL REVIEW BOARD
REGULAR MEETING MINUTES
Tuesday, June 11, 2019, 4:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. CALL TO ORDER AND ROLL CALL

Board Members Present: Sarah Boyle, Chair; Jeff Edmonds, Vice-Chair; Michael Gunby, Secretary; Terrence Coen, Jen Vietenegruber, Garrett Van Zanten.

Absent: None
One vacancy.

2. APPROVAL OF AGENDA

On a motion by Gunby, seconded by Edmonds, the Board voted 6-0 (One vacancy) to approve the agenda.

Motion passed.

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

None.

4. 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.

None.

5. REPORTS OF COUNCIL LIAISON

Mayor Peake provided an update on the actions taken at recent City Council meetings.

CONSENT AGENDA

6. A. Minutes of the May 14, 2019, ARB Meeting
Reference: Alyson Hunter, Staff liaison
Recommended Action: Approve minutes.
CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

On a motion by Member Gunby, seconded by Member Coen, the Board voted 6-0 (One vacancy) to approve the consent agenda.

Motion passed.

REGULAR AGENDA

7. 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.


Description: Demolition of an existing 1,673 square foot two-story single-family residence and construction of a new 3,233 square foot two-story, single-family residence with a second story deck. The project also includes the removal and of three Monterey Cypress trees at the rear of the lot.

Zone District/General Plan Designation: R-1-H / Residential Medium Density (up to 17.4 units per acre)

Coastal Zone: No Archaeological Zone: Yes Historic Resources Inventory: Yes

Area of Special Biological Significance: Yes

CEQA Status: Exempt per Section 15301(1) – Existing Facilities and Section 15303 (a) – New Construction

Applicant/Owner: James Newhall Smith (Applicant) for Melissa McCleskey & Mark Fuqua (Owners)

Staff Reference: Alex Othon, Assistant Planner | aothon@cityofpacificgrove.org

Alex Othon, Assistant Planner, provided a staff report.

The project architect, James Smith, spoke and answered Board Members questions.

The property owner, Melissa McCleskey, spoke and answered Board Member questions.

The Chair opened the floor to public comment.

The following members of the public spoke on the project:

Lisa Ciani
Lynn Neeson

The Chair closed the floor to public comment.

The Board discussed the item.

On a motion by Member Edmonds, seconded by Member Coen, the Board voted 6-0 (One vacancy) to approve the project subject to findings, conditions of approval, and Class 1 & 3 CEQA exemptions, with the added conditions that the tree protection area for the remaining Cypress tree be as close to one foot beyond the drip line as possible, and that the three replacement trees on site be chosen from the list of
protected trees and approved by a licensed arborist.

Motion passed.

B. 510 Evergreen Road | AP 19-0217 | APN 006-422-022
Description: Architectural Permit (AP) 19-0217 for the construction of a new, one-story 3,349 sf residence. No trees are proposed to be removed.

Zone District/General Plan Designation: R-1-B-3 / Res. Low Density (up to 5.4 units per acre)
Coastal Zone: No Archaeological Zone: No Historic Resources Inventory: No
Area of Special Biological Significance: No
CEQA Status: Exempt per Section 15303(a) – New Construction
Applicant/Owner: Anne Marie & Andrew Miller, owner
Staff Reference: Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

Alyson Hunter, Associate Planner, provided a staff report.

Dan Fletcher, representing the applicants, spoke and answered Board Member questions.

The Chair opened the floor to public comment.

The following members of the public spoke on the item:
Lisa Ciani

The Chair closed the floor to public comment.

The Board discussed the item.

On a motion by Member Gunby, seconded by Member Edmonds, the Board voted 6-0 (One vacancy) to approve the project subject to findings, conditions of approval, and a Class 3 CEQA exemption.

Motion passed.

8. FULL PRESENTATIONS
None

ADJOURNMENT – 4:44pm.

APPROVED BY ARCHITECTURAL REVIEW BOARD

Michael Gunby, Secretary

7/16/19 Date
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MINUTES
CITY OF PACIFIC GROVE
HISTORIC RESOURCES COMMITTEE
REGULAR MEETING
3:00 p.m., Wednesday, June 26, 2019
Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. Called to Order - 3:00 p.m.

2. Roll Call
   HRC Members Present: Claudia Sawyer (Chair), Mark Travaille, Jill Kleiss (Secretary), Mimi Sheridan (Vice-Chair), Rick Steres, Geoff Welch

   HRC Members Absent: Joseph Rock

3. Approval of Agenda

   Chair Sawyer moved item 10B to item 10A on the Regular Agenda and noted one correction on the May 22, 2019 minutes.

   On a motion by Member Steres, seconded by Vice-Chair Sheridan, the Committee voted 6-0-1 (Member Rock absent) to approve the agenda. Motion passed.

4. Committee Member and Staff Announcements (City-Related Items Only)

   None.

5. General Public Comment

   Written correspondence was received from Ms. Cyndi Adams pertaining to 218 Park St and Mr. Anthony Ciani pertaining to the Holman Building project.

   Ms. Lisa Ciani spoke regarding the Public Library and its historical review process and accessibility to records pertaining to historic buildings.

   Mr. Anthony Ciani spoke regarding the American Tin Cannery (ATC) and openness and transparency of public records pertaining to historic buildings. Mr. Ciani urged the Committee to add the ATC site to the Historic Resources Inventory.

6. Reports of Council Liaison

   Councilmember Tomlinson provided an update on the City Entitlement Water available for purchase. Councilmember Tomlinson also informed the Committee about the project application for a new hotel and commercial project at the American Tin Cannery site.

7. Items to be Continued or Withdrawn
8. Consent Agenda

a. Approval of May 22, 2019, HRC Minutes
   Recommended Action: Approve minutes
   CEQA Status: Does not constitute a "Project" as defined by CEQA Guidelines §15378
   Staff Reference: Alyson Hunter, Associate Planner

b. Initial Historic Screening Request No. IHS 19-0310 for 810 Congress Avenue
   Description: Initial Historic Screening
   Applicant/Owner: Jeff Edmonds representing Maria Mushkind (owner)
   CEQA status: Not a project under CEQA
   Staff reference: Anastazia Aziz, AICP, Director, Community Development Dept.
   Recommended action: Determine ineligible for the Historic Resources Inventory

c. Initial Historic Screening Request No. IHS 19-0364 for 810 Gibson Avenue
   Description: Initial Historic Screening
   Applicant/Owner: Jude Fox (owner)
   CEQA status: Not a project under CEQA
   Staff reference: Anastazia Aziz, AICP, Director, Community Development Dept.
   Recommended action: Determine ineligible for the Historic Resources Inventory

d. Initial Historic Screening Request No. IHS 19-0367 for 150 14th Street
   Description: Initial Historic Screening
   Applicant/Owner: Susana D. Silva (owner)
   CEQA status: Not a project under CEQA
   Staff reference: Anastazia Aziz, AICP, Director, Community Development Dept.
   Recommended action: Determine ineligible for the Historic Resources Inventory

e. Address: 837 Ocean View Blvd., Pacific Grove, CA 93950 (APN 006-065-024)
   Application #: Architectural Permit (AP) 19-0143
   Description: An Architectural Permit for the replacement of a large, non-historic arched window
   with two (2) clerestory windows, the replacement of a sliding glass door with large 18' x 8' folding glass doors on the rear elevation, and the development of a 340 sf cover over an existing patio in the back yard. No trees will be affected by the proposed development. The property is on the Historic Resources Inventory (HRI).
   Zone District/General Plan Designation: Residential Single-Family (R-1) / Medium Density Residential (17.4 du/acre)
   Coastal Zone: No  Archaeological Sensitivity: Yes  Historic Resources Inventory: Yes
   Area of Special Biological Significance: Yes
   CEQA Status: The proposed project qualifies for Classes 1 and 31 CEQA categorical exemptions for Residential Additions and Historical Resources Restoration/Rehabilitation, respectively.
   Applicant/Owner: Paul W. Davis, AIA, representing Elias & Sana Amireh, owners
   Recommended Action: Staff recommends that the ARB approve the project subject to findings, conditions of approval and Class 1 and 31 CEQA exemptions.
   Staff Reference: Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

   On a motion by Vice-Chair Sheridan, seconded by Steres, the Committee voted 6-0-1 (Member Rock absent) to approve the Consent Agenda. Motion passed.
9. Continued Items
   a. **Address:** 218 Park Street, Pacific Grove, CA 93950 (APN 006-204-002)
      **Application #:** Architectural Permit (AP) & Accessory Dwelling Unit (ADU) 18-0970
      **Description:** A revised AP for a one- and two-story addition to an existing 676 sf duplex which is
      on the City’s Historic Resources Inventory. As a result of direction by the HRC at its April 24th
      and May 22nd meetings to reduce the bulk and massing of the overall structure, the project returns
      with a further decrease in total size from 2,369 sf to 2,124 sf plus a request to have a reduction in
      parking requirements to allow a one-car garage. No changes to tree protections or exterior
      materials are proposed. *This item was continued from the May 22, 2019, HRC meeting.*
      **Zone District/General Plan Designation:** Residential Multi-Family (R-3) / High Density
      Residential (29 du/acre)
      **Coastal Zone:** No  **Archaeological Sensitivity:** No  **Historic Resources Inventory:** Yes
      **Area of Special Biological Significance:** Yes
      **CEQA Status:** The proposed project qualifies for Classes 1 and 31 CEQA categorical exemptions
      for Residential Additions and Historical Resources Restoration/Rehabilitation, respectively.
      **Applicant/Owner:** Eddie Hurt representing Robert & Donna Gionfriddo
      **Recommended Action:** Staff recommends that the HRC approve the project subject to findings,
      conditions of approval and Class 1 and 31 CEQA exemptions.
      **Staff Reference:** Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

      Alyson Hunter, Associate Planner, provided a staff report.

      Eddie Hurt, project architect, provided an overview of the proposed project.

      Committee members asked project architect clarifying questions.

      Chair Sawyer opened the floor to public comment.

      The following members of the public spoke regarding this project: Mr. Robert Gionfriddo
      (property owner), Ms. Lisa Ciani (resident), Mr. Anthony Ciani (resident), Ms. Linda Foley
      (neighbor), and Mr. John Adams (neighbor).

      Chair Sawyer closed the floor to public.

      The Committee discussed the item.

      **On a motion by Vice-Chair Sheridan, seconded by Member Steres, the Committee voted
      6-0-1 (Member Rock absent) to approve Architectural Permit (AP) & Accessory Dwelling
      Unit (ADU) 18-0970 for 218 Park St as presented with a condition that windows in the
      new section must be single lite with no muntins. Motion passed.**

10. Regular Agenda
   a. **Previously item 10B on Regular Agenda**
      **Address:** 542 Lighthouse Avenue (Holman Building) (APN 006-173-003)
      **Application #:** ADC 19-0360
Description: The addition of three (3) new 8’ tall parapet walls to the fifth floor of the Holman Building for the purposes of screening existing approved utility and other accessory facilities and equipment which are present under long-term contracts.

Zone District/General Plan Designation: Light Commercial and Hotel (C-1-T) / Commercial

Coastal Zone: No  Archaeological Sensitivity: No  Historic Resources Inventory: Yes

Area of Special Biological Significance: Yes  

CEQA Status: The project is exempt per §15311 of the CEQA Guidelines which consists of the construction or placement of minor structures accessory to existing commercial facilities.

Applicant/Owner: Brian Nobis representing Monterey Capital PG Founders LLC (owner)

Recommended Action: Staff recommends that the HRC approve the project subject to findings, conditions of approval and a Class 11 CEQA exemption.

Staff Reference: Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

Alyson Hunter, Associate Planner, provided a staff report.

Committee members asked staff clarifying questions.

Mr. Dave Gash, developer, provided an overview of the proposed project.

Mr. Kenneth Turgen, project architect, provided an overview of the proposed project.

Committee members asked project applicant and architect clarifying questions.

Chair Sawyer opened the floor to public comment.

The following members of the public spoke regarding this project: Mr. Anthony Ciani (resident), Ms. Inge Lorentzen Daumer (resident), Mr. Kent Seavey (historian and resident).

Chair Sawyer closed the floor to public.

Committee members asked project applicant and architect further clarifying questions.

The Committee discussed the item.

On a motion by Vice-Chair Sheridan, seconded by Member Steres, the Committee voted 6-0-1 (Member Rock absent) to approve Architectural Design Change (ADC) 19-0360 for 542 Lighthouse Ave (Holman Building) with the following condition:

1) The proposed parapet screening walls must not have any dentils, corbels or wall caps.

Motion passed.

b. Previously item 10A on Regular Agenda

Address: 409 Grand Avenue (APN 006-489-009)

Application #: Architectural Permit (AP) / Accessory Dwelling Unit (ADU) / Historic Preservation Permit (HPP) 19-0211

Description: The demolition of a non-historic garage and laundry room, the relocation of the entire house 8’ to the north and placement on new perimeter foundation, and the addition of a new second-story ADU and garage. The house is on the Historic Resources Inventory (HRI). The
applicant requests an HPP for a reduction in the required number of covered parking spaces from two (2) to one (1).

**Zone District/General Plan Designation:** Residential Multi-Family (R-4) / Professional Office - High Density Residential (29 du/acre) (PO/HDR)

**Coastal Zone:** No  
**Archaeological Sensitivity:** No  
**Historic Resources Inventory:** Yes  
**Area of Special Biological Significance:** Yes

**CEQA Status:** The project is categorically exempt from CEQA per §§15331 and 15301(e)(2) of the CEQA Guidelines which allow for the rehabilitation of historic resources and minor residential additions, respectively.

**Applicant/Owner:** Rick Steres representing the Peterson Family Trust

**Recommended Action:** Staff recommends that the HRC approve the project subject to findings, conditions of approval and Class 1 and 31 CEQA exemptions.

**Staff Reference:** Alyson Hunter, Associate Planner | ahunter@cityofpacificgrove.org

Members Kleiss and Steres recused themselves from this item.

Due to lack of time, Chair Sawyer continued this item to a date uncertain with no changes to the project.

11. **Presentations and Trainings**
   None.

12. **Adjourned 4:50 p.m.**

   APPROVED BY THE HISTORIC RESOURCES COMMITTEE.

   Jill Kleiss, Secretary

   7/29/19

   Date
1. Called to Order - 2:00 p.m.

2. Roll Call
   HRC Members Present: Claudia Sawyer (Chair), Mark Travaille, Jill Kleiss (Secretary), Mimi Sheridan (Vice-Chair), Rick Steres, Geoff Welch
   HRC Members Absent: Joseph Rock

3. Approval of Agenda
   On a motion by Vice-Chair Sheridan, seconded by Member Travaille, the Committee voted 6-0-1 (Member Rock absent) to approve the agenda. Motion passed.

4. Committee Member and Staff Announcements (City-Related Items Only)
   Chair Sawyer informed Committee members and members of the public regarding a discussion on story poles at the July 9, 2019 Architectural Review Board meeting.

5. General Public Comment
   Mr. Kent Seavy addressed the committee regarding historic homes with wood roofs. He mentioned that they may not be eligible for insurance and urged the Committee and staff to look into this further.

6. Consent Agenda
   None.

7. Regular Agenda
   a. Address: 409 Grand Avenue (APN 006-489-009)
      Application #: Architectural Permit (AP) / Accessory Dwelling Unit (ADU) / Historic Preservation Permit (HPP) 19-0211
      Description: The demolition of a non-historic garage and laundry room, the relocation of the entire house 8' to the north and placement on new perimeter foundation, and the addition of a new second-story ADU and garage. The house is on the Historic Resources Inventory (HRI). The applicant requests an HPP for a reduction in the required number of covered parking spaces from two (2) to one (1).
      Zone District/General Plan Designation: Residential Multi-Family (R-4) / Professional Office - High Density Residential (29 du/acre) (PO/HDR)
Coastal Zone: No  Archaeological Sensitivity: No  Historic Resources Inventory: Yes
Area of Special Biological Significance: Yes
CEQA Status: The project is categorically exempt from CEQA per §§15331 and 15301(e)(2) of the CEQA Guidelines which allow for the rehabilitation of historic resources and minor residential additions, respectively.
Applicant/Owner: Rick Steres representing the Peterson Family Trust
Recommended Action: Staff recommends that the ARB approve the project subject to findings, conditions of approval and Class 1 and 31 CEQA exemptions.
Staff Reference: Alyson Hunter, Associate Planner  | ahunter@cityofpacificgrove.org

Member Kleiss recused herself from this item due to conflict of interest.

Member Steres recused himself from this item because he was the project proponent.

Alyson Hunter, Associate Planner, provided a staff report.

Committee members asked staff clarifying questions.

Rick Steres, project architect, provided an overview of the proposed project.

Chair Sawyer opened the floor to public comment.

The following members of the public spoke regarding this project: Mr. Kent Seavey and Ms. Jean Dara

Chair Sawyer closed the floor to public.

The Committee discussed the item.

On a motion by Member Travaille, seconded by Member Welch, the Committee voted 4-0-1-2 (Member Rock absent, Members Kleiss and Steres recuse) to continue this item to a date uncertain with the applicant to return the Committee with an amended design that would address concerns of the Committee. Motion passed.

8. Presentations and Trainings
None.

9. Adjourned 3:09 p.m.

APPROVED BY THE HISTORIC RESOURCES COMMITTEE.

Jill Kleiss, Secretary  

Date  7/29/19
CITY OF PACIFIC GROVE  
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:  Chair Murphy and Members of the Planning Commission
FROM:  Anastazia Aziz, AICP, Director
MEETING DATE:  August 8, 2019
SUBJECT:  Amendments to the City’s Subdivision Ordinance Title 24 and 23
CEQA:  Does not constitute a “Project” under CEQA Guidelines

RECOMMENDATION
Recommend approval of proposed Title 24 and related Title 23 amendments to City Council.

BACKGROUND
City Council directed the Subdivision Ordinance be updated to facilitate the orderly division and creation of new lots in the City of Pacific Grove (City). The proposed Ordinance provides for City-wide processes to legally subdivide land. On March 7, 2019 the Planning Commission provided direction to staff to revise the City’s Subdivision ordinance, Title 24 and related amendments to Title 23 to remove redundancies. Staff has drafted changes for Planning Commission review, discussion and recommendation to Council.

DISCUSSION
The revisions to the City ordinance update the mechanics of subdividing land within the City and ensure that any new lots are in conformance with both the State Subdivision Map Act (SMA) and City regulations. Outdated language has been removed and processing timelines updated. Areas amended include:

General Provisions. The language in this section was revised to remove outdated text, add clarifying language and ensure conformity with the SMA. Included in the revisions are changes to City-initiated mergers. This process, permitted by the SMA, allows the City to initiate the merger of two or more contiguous lots held in the same ownership. This process is extremely rare. The City may require this type of merger in conjunction with a discretionary development permit such as a use permit.

Certificate of Compliance. Certificates of Compliance evaluate information necessary to substantiate a finding that the lot(s) conform(s) to the SMA and local ordinances. Such information may include: chain of title; evidence of prior subdivision or parcel map approval; an official map prepared pursuant to the SMA; recorded deeds or other evidence relevant to the division of the property in question. The process was revised and includes a formal appeal process to the Planning Commission and allows for a second appeal to Council. The language also clarifies that a certificate of compliance may not be issued if the effect would be to subdivide the property in violation of the SMA and notes that the certificate only determines the legal status of a parcel and does not grant a right of development.
Lot line adjustment and owner initiated mergers. These processes involve adjustments to the size and or shape of existing lots and are generally minor in nature. Lot line adjustments do not create new lots, while mergers reduce the number of lots. Both processes were revised to better align with the SMA and standard procedures for these two actions were shifted to Title 24 from Title 23. Review is based on conformity to the General Plan and zoning district. The Director is the review authority and the Planning Commission functioning as appeal body.

Parcel Maps. Parcel Maps are generally used to subdivide/reconfigure property into four lots or less. The City’s ordinance was updated to reflect the current SMA including timelines for processing. Parcel Maps do not have to go through the Tentative Map process as these types of subdivisions are generally small and less complex. It should be noted that a site plan may be required if there are existing buildings on the property proposed to be subdivided by this method. If the buildings are proposed to remain additional drawings may be required to ensure conformance with applicable Building and Fire codes in relation to proposed property lines. The Zoning Administrator remains the review authority and the Planning Commission functioning as appeal body.

Tentative Maps and Final Maps. A Tentative Map, followed by the filing of a Final Map, is the general process for subdivision of five or more lots. The Tentative Map is more detailed and involved than a Parcel Map, and depending on the size of the proposed subdivision, may also require dedications of land, such as parkland. The Planning Commission is the decision-making body for Tentative Maps.

After the approval or conditional approval of a Tentative Map, a Final Map is prepared that must substantially conform to the Tentative Map in order to garner approval. Again, the timelines for process were updated to align with the SMA and outdated language removed.

Passive or natural heating or cooling. Additional design considerations regarding passive or natural heating or cooling opportunities in the subdivisions were also incorporated. This consideration applies to subdivisions that require a Tentative Map (five lots or more) in alignment with the SMA.

Webpage
In addition staff has created a new Subdivision webpage with general information and application forms and guidance (some still in development) for various types of land division processes to clarify the process for applicants and property owners. Preparation of the submittal requirements generally requires either a licensed surveyor or civil engineer to prepare the maps depending on the type of subdivision requested.

CEQA
Not a project under CEQA per § 15378(a) of the CEQA Guidelines.

ATTACHMENT:

A. Proposed Amendments to the Subdivision Ordinance – PGMC Title 24 and Title 23

SUBMITTED BY:

Anastazia Aziz

Anastazia Aziz, AICP, Director
### Table 23.70.012-1: Types of Review, Applications, and Roles of Review Authorities

<table>
<thead>
<tr>
<th>Type of Permit Application</th>
<th>Director</th>
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<tbody>
<tr>
<td>Admin. architectural permit – not on HRI (PGMC 23.70.030)</td>
<td>Decision²</td>
<td>Hearing/Decision</td>
<td>Appeal⁵</td>
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<td>Admin. architectural permit – on HRI (PGMC 23.70.030)</td>
<td>Decision²³</td>
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<td>Hearing/Decision</td>
<td>Appeal⁵</td>
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<tr>
<td>Architectural design change – not on HRI (PGMC 23.70.030)</td>
<td>Decision²</td>
<td>Hearing/Decision</td>
<td></td>
<td>Appeal⁵</td>
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<tr>
<td>Architectural design change – on HRI (PGMC 23.70.030)</td>
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<td>Hearing/Decision</td>
<td></td>
<td>Appeal⁵</td>
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</table>

**Counter Review:** Recommended preliminary staff review of projects to determine compliance with zoning code, need for further permit applications, or determination of which track below best suits the situation. (PGMC 23.70.018)

**Counter Review and Determination:** Required director review of specific projects or land uses in order to verify compliance with zoning standards. (PGMC 23.70.020)

**Staff Approvals:** For timely approval of permits for the following projects and uses:

- Admin. architectural permit – not on HRI (PGMC 23.70.030)
- Admin. architectural permit – on HRI (PGMC 23.70.030)
- Architectural design change – not on HRI (PGMC 23.70.030)
- Architectural design change – on HRI (PGMC 23.70.030)

ARB = Architectural Review Board, CC = City Council, HRC = Historic Resources Committee, HRI = Historic Resources Inventory, LCP = Local Coastal Program, PC = Planning Commission, PGMC = Pacific Grove Municipal Code Section, SPRC = Site Plan Review Committee, and ZA = Zoning Administrator.
Table 23.70.012-1:
Types of Review, Applications, and Roles of Review Authorities

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<tr>
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<tbody>
<tr>
<td>Lot merger (PGMC 23.70.012)</td>
<td>Decision</td>
<td>Hearing/Decision</td>
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<td>Appeal</td>
<td>Appeal</td>
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<tr>
<td>Admin. sign permit (PGMC 23.70.030)</td>
<td>Decision</td>
<td>Hearing/Decision</td>
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<td>Appeal</td>
<td>Appeal</td>
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<tr>
<td>Admin. use permit and admin. use permit amendments (PGMC 23.70.030)</td>
<td>Decision²</td>
<td>Hearing/Decision</td>
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<td>Appeal</td>
<td>Appeal</td>
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<tr>
<td>Admin. variance and admin. variance amendments (PGMC 23.70.030)</td>
<td>Decision²</td>
<td>Hearing/Decision</td>
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<td>Appeal</td>
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<tr>
<td>Certificate of Compliance (PGMC 24.05)</td>
<td>Decision</td>
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<td>Appeal</td>
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<tr>
<td>City Initiated Merger (PGMC 24.04.050)</td>
<td>Decision</td>
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<td>Appeal</td>
<td>Appeal</td>
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<tr>
<td>Lot line Adjustment and Owner Initiated Merger (PGMC 23.70.030, 24.04.030, 24.06)</td>
<td>Decision</td>
<td>Decision</td>
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<td>Appeal</td>
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<tr>
<td>Permitting of undocumented dwelling units (PGMC 23.70.030)</td>
<td>Decision²</td>
<td>Hearing/Decision</td>
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<td>Appeal</td>
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</table>

Zoning Administrator: For the following applications:
### Table 23.70.012-1:
Types of Review, Applications, and Roles of Review Authorities

<table>
<thead>
<tr>
<th>Type of Permit Application</th>
<th>Roles of Review Authorities¹</th>
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</thead>
<tbody>
<tr>
<td>Interpretations of permitted use lists (PGMC 23.70.040, Chapter 23.82 PGMC)</td>
<td>Director</td>
</tr>
<tr>
<td>Historic relocation permit – on-site (PGMC 23.70.040, 23.76.100)</td>
<td>Director</td>
</tr>
<tr>
<td>Parcel map (PGMC 23.70.040, Chapter 24.08 PGMC)</td>
<td>Director</td>
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</tbody>
</table>

**Site Plan Review Committee:** For the following approvals:

| Lot line adjustment (PGMC 23.70.050, 24.04.030)                                       | Decision | Appeal | Appeal |
| Site plan review (multifamily/commercial/industrial projects only) (PGMC 23.70.050)    | Review and Comment | - | - |

**Architectural Review Board:** For the following applications:

| Architectural permit for new construction, major alteration, or demolition/reconstruction – not on HRI (PGMC 23.70.060) | Decision | Appeal | Appeal |
| Sign permit (PGMC 23.70.060)                                                               | Decision | Appeal | Appeal |

**Historic Resources Committee:** For the following applications:
## Table 23.70.012-1:
Types of Review, Applications, and Roles of Review Authorities

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<tr>
<td>Historic determination (PGMC 23.70.070, 23.76.030)</td>
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<tr>
<td>Architectural permit for major alteration – on HRI (PGMC 23.70.070)</td>
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<td>Historic preservation permit (PGMC 23.70.070, 23.76.060)</td>
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<td>Historic demolition permit (PGMC 23.70.070, 23.76.090)</td>
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<td>Historic relocation permit – off-site (PGMC 23.70.070, 23.76.100)</td>
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<td>Initial historic screening (PGMC 23.70.070)</td>
<td>Decision</td>
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<td><strong>Planning Commission</strong>: For the following applications:</td>
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<td>Use permit and use permit amendments (PGMC 23.70.080(a))</td>
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<td>Variance and variance amendments (PGMC 23.70.080(b))</td>
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<td>Tentative tract map (Chapter 24.12 PGMC)</td>
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<td>Final tract map (Chapter 24.16 PGMC)</td>
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**Administrative and Amendments:** For legislative actions and code interpretations (other than interpretations for permitted use lists), the following applies:

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<td>General plan amendments</td>
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<td>(Chapter 23.84 PGMC)</td>
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<td>LCP amendments (Chapter 23.84 PGMC)</td>
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<td>Zoning text amendments</td>
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<td>Interpretations of code</td>
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<td>(PGMC 23.04.040)</td>
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23.70.050 Site plan review committee.

(a) Purpose. The purpose of the site plan review committee (SPRC) is to encourage well-designed multifamily residential, commercial, and industrial development. The SPRC’s review does not apply to single-family residences outside of the coastal zone. The SPRC studies the siting of proposed construction and its impact upon the existing topography and natural vegetation, and the relationship of
proposed construction to existing public and private improvements in the immediate area. It does not act on architectural aspects. It encourages the elimination of unnecessary grading, and endeavors to retain the natural character of the site, including the preservation of trees. The SPRC ensures that site plans conform to a logical plan of site development; have adequate parking facilities, driveways, entrances, and exits; provide an appropriate arrangement, location, and design of required open spaces and recreational facilities; and incorporate other pertinent project features, so that development will not be detrimental to vehicular or pedestrian traffic on adjacent streets, will provide adequate light and air, will provide adequate access for firefighting equipment and, in general, will provide a desirable and well designed facility. The SPRC also reviews and approves lot line adjustments.

(b) Establishment. The city manager shall appoint a site plan review committee, which shall consist of the chief planner, city engineer, fire chief, and chief building official, or their representatives. The SPRC may adopt such rules as are needed for the conduct of its deliberations. The chief planner or designee shall serve as chairperson of the SPRC. A quorum of the SPRC shall consist of not less than three members of the SPRC, one of whom shall be the chief planner. An affirmative vote of a majority of the total members of the SPRC shall be required for any action by the SPRC.

(c) Applicability. As summarized in Table 23.70.012-1, the site plan review committee is the decision-making authority or reviews and comments on the following permits and activities:

1. Lot line adjustments. Pursuant to PGMC 24.04.030 and the SPRC shall approve, approve with conditions, or disapprove lot line adjustments.

2. Siting and lot coverage in the coastal zone. Pursuant to Policy No. 3.4.5.2 of the local coastal program, the SPRC shall review and comment on the siting of each new development and the expected area of disturbance around each residence within the coastal zone, and review and comment on any property owner request to exceed the maximum lot coverage of 15 percent of a total lot area within the coastal zone.

3. Projects of $50,000 or more. The SPRC shall review and comment on any structure or site work valued at $50,000 or more, as determined by the chief building official, including the structural alteration, or addition to, existing structures or works.

Exceptions. This section shall not apply to:

(A) Interior alterations and remodeling that do not involve a change in occupancy as defined by the Uniform Building Code;
(B) Exterior alterations not involving an increase in floor area; or

(C) Single-family residences in all residential zones outside of the coastal zone.

(d) Review Process. Upon submittal of an application for site plan review or approval of a lot line adjustment, the department shall process it in accordance with the following:

(1) Staff reviews the application to ensure it is complete based on the submittal requirements provided by the department.

(2) For site plan reviews, the SPRC holds a meeting to review and comment on the project. No formal action is taken. Comments are forwarded to the review authority for the associated community development permit.

(3) For lot line adjustments, the SPRC holds a public meeting, accepts public comments, and approves, approves with conditions, or disapproves the item. Noticing procedures for public meetings are described in Chapter 23.86 PGMC (Public Meeting and Hearing Procedures). The action is subject to appeal in accordance with Chapter 23.74 PGMC (Appeals and Call-Ups).

(e) Required Improvements. The SPRC will ensure compliance with the following requirements as part of its site plan review:

(1) Street Frontage Improvements. Curb, gutter, sidewalk, street pavement, and concrete driveway aprons shall be installed along all street frontages of the site in compliance with the requirements of Chapter 24.12 PGMC. The requirements of this section shall not apply to the erection, construction, or reconstruction of agricultural structures or uses. If the city engineer determines that engineering considerations will make the required improvements infeasible or if the SPRC finds that there is a prevailing design element of the neighborhood that runs counter to usual standards, the site plan review committee may modify the improvement requirements to conform to engineering feasibility or a prevailing neighborhood design element.

(2) Deferral of Improvements. The SPRC may recommend to the review authority the deferral of required improvements after a written request from the applicant, if the SPRC first determines that special or unusual circumstances warrant the deferral. When recommending a deferral, the SPRC shall specify a time limit for deferral, which shall not exceed one year, unless extended by subsequent action of the review authority. If a deferral is ultimately granted, the applicant shall furnish a satisfactory faithful performance bond, cash contribution, or other guarantee acceptable to the city, to ensure that the work will be performed.
(f) Criteria for Site Plan Review. The SPRC will review and comment on whether site plans submitted for review incorporate the following criteria:

1. Necessary street improvements to control and provide for traffic movement arising from the development;
2. Safe pedestrian movement on or adjoining the property;
3. Safe and sanitary control of surface and subsurface drainage on or adjoining the property;
4. Attractive and sanitary provisions for refuse storage and disposal;
5. Appropriate and adequate automobile parking spaces; and
6. Fulfillment of the purposes of subsection (a) of this section.

(g) Findings Required for Approval. Lot line adjustment approvals are subject to the following findings:

1. The proposed development conforms to the applicable provisions of the general plan and these regulations;
2. The proposed development is located on a legally created lot; and
3. 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.

(h) Effective Date of Lot Line Adjustment. A lot line adjustment approval shall become effective only when:

1. The appeal period has expired or, if appealed, prior to final action on the appeal by the appeal authority in accordance with Chapter 23.74 PGMC (Appeals and Call-Ups); and
2. All necessary prior approvals have been obtained.

(gi) Building Permit Issuance. No building permit shall be issued for structures subject to the provisions of this section until the SPRC has completed its deliberations. The chief building official shall not allow final public utility connections to any structure until the applicant has complied with all applicable provisions of this section. [Ord. 11-001 § 2, 2011].
Chapter 24.04
GENERAL PROVISIONS

24.04.010 Purpose and citation.

This title is adopted to supplement and implement the Subdivision Map Act (Government Code Section 55410 et seq.) and may be cited as the “subdivision ordinance of the city of Pacific Grove.” It is the purpose of this title to promote the public health, safety, convenience, and general welfare by establishing standards and procedures for the subdivision of land and resulting development on account thereof, in a manner consistent with the general plan and any specific plan adopted pursuant to Section 65450, and following, of the Government Code. Each subdivision and the map thereof shall be in conformity with the provisions of this title and the Subdivision Map Act, and all zoning ordinances of the City. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.01.010]. In the event of a conflict
between the provisions of this Title and a mandatory provision of the Subdivision Map Act, the Subdivision Map Act shall prevail.

Any subdivision of an existing parcel into two or more parcels shall require approval by the City in compliance with this Chapter. In general, the procedure for subdivision requires the approval of a Parcel Map (for four or fewer parcels) or a Tentative and Final Map (for five or more parcels) to complete the subdivision process. The Tentative Map review process is used to evaluate the compliance of the proposed subdivision with the adopted City standards, and the appropriateness of the proposed subdivision design. Parcel and Final Maps are precise engineering documents that detail the location and dimensions of all parcel boundaries in an approved subdivision and, after approval, are recorded in the office of the County Recorder.

(a) A report as to conformity to the general plan, which is required pursuant to Section 65402 of the Government Code as the result of a proposed division of land, may be included as part of and at the same time as the action taken by the advisory agency on such division of land.

(b) Such report is not required for a proposed subdivision which involves (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects; provided, that the advisory agency expressly finds that any such disposition for street purposes, acquisitions, dispositions, or abandonments for street widening or alignment projects is of a minor nature. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.01.020].

24.04.030 Definitions.
Whenever any words or phrases are used in this title but are not defined, they shall have the definition and meaning as provided in the Subdivision Map Act. The following words and phrases shall have the meanings respectively ascribed to them:

“Subdivider” means a person, firm, corporation, partnership, or associate who proposes to divide, divides, or causes to be divided real property into a subdivision for himself or for others.

“Subdivision” means the division of any improved or unimproved land, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements, or railroad rights-of-way.
“Subdivision” includes a condominium project, as defined in Section 1351(f) of the Civil Code, or a community apartment project, as defined in Section 11004 of the Business and Professions Code. Any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for purposes of computing the number of parcels.

“Subdivision Map Act” shall mean the provisions of Division 2 (commencing with Section 66410) of Title 7 of the California Government Code and such amendments and additions thereto as may be made from time to time by the California Legislature.

The planning commission shall constitute the review authority for all tentative maps, and the zoning administrator shall constitute the review authority for all parcel maps.

This title shall not be applicable to a lot line adjustment between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, where a number of parcels greater than originally existed is not thereby created, and where merger is not required for such parcels under this section. The site plan review committee shall be authorized to review and approve lot line adjustment applications consistent with the provisions of Section 66412(d) of the Subdivision Map Act.

This title shall not require further subdivision of city lots, parcels, or units heretofore created by recorded subdivision or recorded deed transferring the parcel, by virtue of being contiguous to any other lot or parcel in the same ownership. However, merger of contiguous lots or parcels in the same ownership shall occur so as to require further subdivision in order to effect a sale, leasing or financing of any such contiguous lot, parcel, or unit in case any one of such lots, parcels, or units does not conform to the minimum area or width requirements of PGMC Title 23 and any of the contiguous lots, parcels, or units is not developed with a building.

In such case the resulting merged parcel or parcels need not exceed the minimum sizes prescribed in PGMC Title 23, to the extent such can be accomplished without producing any remainder parcel of substandard size. Nothing contained herein is intended to merge any building site that is valid under the terms of PGMC 23.64.140 while it qualifies as a valid building site thereunder.

Wherever a merger results hereunder which comes to the knowledge of the city, the chief planner, after verifying the identity and configuration of the resulting merged parcels, shall cause a notice of merger to be filed for record with the county recorder, which shall specify the names of the owners of record and describe the real property effected; provided, however, notice shall be given to such owners in writing at least 30 days prior to such recording, advising of the intended recording of the fact of merger and specifying a time, date, and place at which the owner may present evidence to the zoning administrator, pursuant to Chapter 23.70 PGMC (Community Development Permit Review Authorities and Procedures);
why such notice should not be recorded. The zoning administrator’s decision may be appealed in accordance with Chapter 23.74 PGMC (Appeals and Call-Ups). [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 1758 N.S. § 1, 1990; Ord. 1253 N.S. § 2, 1981; Ord. 938 N.S. §§ 1, 2, 1977; Ord. 879 N.S. § 4, 1976. Formerly 24.01.030].

24.04.035 Certificate of compliance.
Upon request of any person owning real property or a vendee of that person pursuant to a contract of sale of the real property, the chief planner shall determine whether the real property complies with the Subdivision Map Act and this title. The chief planner shall issue either a certificate of compliance if it is determined that the real property complies, or a conditional certificate of compliance if it is determined that the real property does not comply, in accordance with the Subdivision Map Act procedures (Government Code Sections 66499.34 and 66499.35). [Ord. 11-001 § 8, 2011].

24.04.040 Water availability.
No application for a parcel or tentative map shall be accepted, processed or approved unless at the time of application for such map there is adequate water available, in the appropriate water allocation category or categories under Chapter 11.68 PGMC, to serve the parcels proposed by the application. [Ord. 09-005 § 37, 2009; Ord. 97-24 § 1, 1997. Formerly 24.01.040].

24.04.045 Defense and Indemnification
Whether or not such a condition is explicitly listed as a condition of approval, every approved tentative, parcel or final map shall be deemed to include a condition requiring the subdivider to defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the Planning Director, Planning Commission, or City Council concerning a subdivision brought within the time provided for in Section 66499.37. The City shall promptly notify the subdivider of any claim, action or proceeding and shall cooperate fully in the defense.

24.04.050 City-initiated mergers.
(a) The Zoning Administrator may cause the merger of two or more contiguous parcels held by the same owner(s) if the conditions specified in Subdivision Map Act Section 66451.11 are found to be in evidence. The City shall utilize the procedures set forth, commencing with Subdivision Map Act Section 66451.12 and ending with Section 66451.19 in processing actions to merge such parcels.

(b) The Zoning Administrator reserves the right to make determinations of nonmerger as specified in Subdivision Map Act Section 66451.16.
(c) The zoning administrator’s determinations may be appealed to the planning commission in accord with

Chapter 24.05
CERTIFICATE OF COMPLIANCE

Sections:
24.05.010 General Provisions.
24.05.020 Appeal.
24.05.030 Enforcement.

24.05.10 General Provisions.
Upon request of any person owning real property or a vendee of that person pursuant to a contract of sale of the real property, the chief planner Director shall determine whether the real property complies with the subdivision map act and this title.

(a) The chief planner Director shall issue either a certificate of compliance if it is determined that the real property complies, or a conditional certificate of compliance if it is determined that the real property does not comply, in accordance with the subdivision map act procedures (government code sections 66499.34 and 66499.35).

(b) The Director may, as a condition to granting a conditional certificate of compliance, impose any conditions as authorized by government code section 66499.35.

(c) The Director shall not issue a certificate of compliance if the effect of issuing the certificate would be to subdivide the property in violation of the subdivision map act.

(d) A certificate of compliance only determines the legal status of a parcel and does not grant a right of development.

24.05.020 Appeal.
The Director’s determination may be appealed in accord with 23.74. [Ord. 11-001 § 8, 2011].

24.05.030 Enforcement.
Whenever the Director has knowledge that real property has been divided in violation of the provisions of this chapter, it shall cause to be mailed by certified mail to the then current owner of record of the property a notice of intention to record a notice of violation in accord with the subdivision map act.
CHAPTER 24.06
LOT-LINE ADJUSTMENTS AND OWNER-INITIATED MERGERS

24.06.010 General.
24.06.020 Application.
24.06.030 Authority for Approval or Denial.
24.06.040 Findings.
24.06.050 Notification and Appeal.
24.06.060 Recordation.
24.06.070 Approval Time Limits.

24.06.010 General.
The purpose of this Chapter is to provide criteria for processing, approving, and recording voluntary lot-line adjustments and owner-initiated parcel mergers in accordance with Subdivision Map Act Section. The provisions of this Chapter and references to “lot-line adjustment” shall apply equally to an “owner-initiated merger,” unless specifically stated otherwise.

24.06.020 Application.
An application for a lot-line adjustment shall be filed with the Planning Department in a form prescribed by the Director and shall be accompanied by the following items:

(a) An 11 x 17-inch map exhibit drawn to scale that includes the following information: street addresses, Assessor's Parcel Numbers, existing property lines and dimensions, proposed property lines and dimensions, property lines or sections proposed for removal, existing lot areas, proposed lot areas, existing easements, location of all structures and distances to existing and proposed property lines, location of all utility-service lines, location of septic disposal system and wells, 100-year floodplain of any watercourse, location of creeks and drainages, areas of slopes over 20 percent, off-street parking areas and driveways, title block, north arrow, and date.

(b) A preliminary title report prepared by a licensed title insurance company, current within forty-five (45) days of the date of application.

(c) Other information and documentation as determined necessary by the Director for a particular project. This may include evidence that the properties proposed for adjustment were legally created.

(d) Application processing fee.
24.06.030 Authority for Approval or Denial.

(a) The Director shall have the duty of considering investigations and reports on the design and improvement of proposed divisions of real property; conducting a public hearing when required as described in 23.86 PGMC (Public Meeting and Hearing Procedures); imposing requirements or conditions thereon; and having the authority to approve, conditionally approve, or disapprove the discretionary matters governed by this Chapter, while also ensuring project compliance with the Subdivision Map Act and CEQA.

(b) Within thirty (30) working days of submittal of a complete application, the Director shall approve or disapprove the lot-line-adjustment request by executing a letter of approval or denial to the applicant.

24.06.040 Findings.

In accordance with the Subdivision Map Act Section 66412. (d), approval of a lot-line adjustment shall be based upon a determination by the Director that the following criteria are in evidence:

(a) The adjustment involves four (4) or fewer adjoining parcels that were legally created and will not result in the creation of more parcels than originally existed.

(b) Each resulting parcel is viable in supporting existing or planned land uses based on applicable General Plan and other applicable zoning regulations.

(c) The resulting parcels and any structure(s) or parking space(s) located thereon will comply with the requirements of the zoning district in which the parcel is located and with applicable building regulations, except that where an existing parcel(s) or structure(s) is nonconforming with respect to zoning regulations, a lot-line adjustment may be approved if the degree of nonconformance is not increased.

(d) The adjustment will not impair any existing public-street or private-access easement or create parcels without legal access to a public street and the number of lots fronting on a public street is not being reduced.

(e) The adjustment will not require substantial alteration of any existing public easements or improvements.

(f) The adjustment will not result in a utility service line being located on any property other than the lot being served, unless the service line is contained in a recorded utility easement.
(g) Each resulting parcel has been, or can be, provided with adequate sewage-disposal facilities.

24.06.050 Notification and Appeal

(a) Notification of Approval. All parties of interest as reflected on deed(s) of trust and any other individuals or entity who, in the opinion of the Director, may have a direct interest in the involved parcels, shall be notified of the approval of the lot-line adjustment at the same time as the applicant. The notice shall include a statement that the legal descriptions in any existing deeds of trust may need to be amended to conform to the new lot configurations resulting from the lot-line adjustment.

(b) Appeal. The decision on a lot line adjustment may be appealed in accordance with the procedures in PGMC 23.70 and 23.74.

(c) Effective Date of Lot Line Adjustment. A lot line adjustment approval shall become effective only when:

(i) The appeal period has expired or, if appealed, prior to final action on the appeal by the appeal authority in accordance with Chapter 23.74 PGMC (Appeals and Call-Ups);

(ii) All necessary prior approvals have been obtained.

24.06.060 Recordation

(a) Prior to recording an approved lot-line adjustment, the applicant must first submit the following items for document checking and final approval by the City Engineer:

(1) An 8½-inch by 11-inch map exhibit depicting the approved lot-line adjustment, prepared by a licensed surveyor (stamped) or professional engineer licensed to practice land surveying and included on standard Notice of lot-line adjustment forms prepared by the City.

(2) Deeds necessary to convey property to implement the property-line adjustment. The deeds shall include a legal description of all affected parcels as they will exist after the property-line adjustment is recorded. Said deeds shall contain the words "LOT LINE ADJUSTMENT" in bold letters at the top of each page and exhibit and also contain the following statement:

"Recordation of this deed is for the purpose of adjusting property lines only and does not create or convey a separate parcel," as defined in Subdivision Map Act Section 66412(d).

(3) Map-check fee.
(b) Following final approval of all exhibits, deeds, and legal descriptions by the City Engineer, approved documentation shall be returned to the applicant or a designated title company for recording with the Monterey County Recorder’s Office.

(c) As an alternative, the applicant may submit a parcel map to the City Engineer for recordation of the property-line adjustment, along with applicable map-check and recording fees. A parcel map prepared to accomplish an approved lot-line adjustment shall comply with the requirements of Chapter 24.08 PGMC.

24.06.070 Approval Time Limits

(a) Initial Time Limit. The applicant shall submit the necessary documents for checking and gain final document approval by the City Engineer within one (1) year of the original lot-line adjustment approval date. Failure by the applicant to complete the final approval process within the specified time line shall cause expiration of the lot-line adjustment approval.

(b) Time Extension. The applicant may request an extension of the original property-line-adjustment approval by written request to the Director, which must be received prior to expiration of the original approval. Only one extension, not to exceed a period of ninety (90) days, may be allowed for good cause at the discretion of the Director.

Chapter 24.08
PARCEL MAP PROCEDURES

Sections:
24.08.010 Filing and recording.
24.08.020 Information to be included.
24.08.030 Report from community development department – Compliance with regulations.
24.08.040 Report from city engineer – Grading and erosion control.
24.08.050 Scheduling of public hearing.
24.08.060 Compliance with general plan.
24.08.070 Additional provisions.
24.08.080 Appeals.
24.08.090 Waiver – Hearing.

24.08.010 Filing and recording.
A parcel map, upon approval by the zoning administrator, pursuant to Chapter 23.70 PGMC, shall be filed and recorded for any subdivision for which a tentative and final map is not required by the Subdivision Map Act except for subdivisions created by short-term leases (terminable by either party on not more than 30 days’ notice in writing) of a portion of an operating right-of-way of a railroad corporation defined as such by Section 230 of the Public Utilities Code; provided, however, that upon a showing made to the zoning administrator based upon substantial evidence, that public policy necessitates such a map, this exception shall not apply.

Such maps shall meet all the requirements of the Subdivision Map Act and of this title and shall show all dedications or offers of dedication thereon. The zoning administrator may require that such dedications or offers of dedication be made by deed in lieu of or in addition to appearing on the map. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.010].

24.08.020 Information to be included.
The parcel map shall also include the following:

(a) Locations, names, and existing width of all adjoining and contiguous roadways;

(b) Locations and size of all pipelines and structures used in connection therewith;

(c) Location and outline of all existing structures on the property, with an indication of their uses and whether they are to remain, be relocated, or be removed;

(d) Location of all trees measuring six inches or more in diameter at a height of two feet above existing grade level;

(e) A statement as to the existence of public utilities services (including water, electricity, gas, telephone), mail delivery, sewers, garbage collection, streets or rights-of-way, curbs, gutters, or any other improvements on the land, or what provision is made for each;

(f) Any additional information which may be reasonably required by the community development Director to carry out the purposes hereof. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.020].

24.08.030 Report from community development department – Compliance with regulations.
Within 30 days of receiving a parcel map, the community development department Director shall prepare a report to the zoning administrator as to its compliance with the general plan and this title, and such other matters as may be deemed necessary to secure compliance with this code. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.030].
24.08.040 Report from city engineer – Grading and erosion control.
The city engineer shall report on grading and erosion control, including the prevention of sedimentation or damage to off-site property which may be required by the proposed development. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.040].

24.08.050 Scheduling of public hearing.
Upon receiving the community development department’s report, the zoning administrator shall schedule a public hearing in accordance with the provisions of the Subdivision Map Act to consider the parcel map. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.050].

24.08.060 Compliance with general plan and zoning ordinance.
Prior to granting approval for a parcel map, the zoning administrator shall find specifically that the proposed subdivision, together with its provisions for design and improvements, is consistent with the general plan and zoning ordinance. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.060].

24.08.070 Additional provisions.
All parcel maps shall provide for the following:

(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. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 1705 N.S. § 1, 1990; Ord. 879 N.S. § 4, 1976. Formerly 24.02.070].

24.08.080 Appeals.
Any person claiming to be aggrieved by the decision of the zoning administrator may, within 10 days after the rendering of such decision, appeal in writing to the planning commission for review thereof. The planning commission shall fully review the matter and (1) affirm the findings of the zoning administrator; (2) reverse the findings; or (3) refer the matter back to the zoning administrator for
further action. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.02.080].

24.08.090 Waiver – Hearing.
The zoning administrator shall, after hearing, waive the requirement of a parcel map when it shall specifically find that the proposed division of land complies with all of the requirements of PGMC Titles 23 and 24 as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and all other provisions of this code. The zoning administrator is authorized to require that a tentative map be filed prior to any such hearing. [Ord. 11-001 § 8, 2011; Ord. 09-005 § 37, 2009; Ord. 938 N.S. § 3, 1977. Formerly 24.02.090].

Chapter 24.12
FILING OF TENTATIVE MAP

Sections:

24.12.010 Filing – Information to be included.
24.12.040 Time limitations.
24.12.045 Findings.
24.12.050 Appeal from decision of planning commission.

24.12.010 Filing – Information to be included.
Tentative maps shall be filed with the community development director and shall be processed in accordance with the Subdivision Map Act and the provisions of this title. The subdivider shall file as many copies of the tentative map as may be required by the community development director. Such tentative map shall indicate such of the following as may be applicable:

(a) A tract number for any subdivision;
(b) The date, north point, and scale;
(c) A sufficient legal description of land to define the boundaries of the proposed division of land;
(d) A key map indicating the location of the proposed division of land in relation to the surrounding area;
(e) The name and address of the record owner, the subdivider, and the civil engineer or licensed surveyor under whose direction the map was prepared, including the registration number of the engineer or surveyor;

(f) The existing topography of the land proposed to be divided using contour intervals of not more than five feet, and of not more than two feet where the grade of the land is less than five percent. Contours of adjacent land shall also be shown whenever the surface features of such land affect the design and/or improvement of the proposed division. The tentative map shall contain a statement by the person preparing the map stating the source of contours shown on the map;

(g) The approximate location and outline to scale of each building or structure on the property proposed for division. Buildings or structures on adjacent property shall also be shown if such buildings or structures affect the design of the proposed subdivision. Each building shown shall be identified by house number or other identifying feature, including a notation on each building or structure to be retained;

(h) The approximate location of all areas subject to inundation or storm water overflow and the location, width, and direction of flow of each watercourse;

(i) The approximate location of each area covered by trees with a statement of the nature of the cover and the kind and approximate location of all trees standing within the boundaries of proposed public rights-of-way;

(j) The location, width, approximate grade, and curb radii of all existing and proposed streets and highways within and adjacent to the proposed subdivision;

(k) The width, purpose, and approximate location of all existing and proposed easements or rights-of-way, whether public or private, within and adjacent to the proposed subdivision:

(l) The approximate radius and arc length of each centerline curve;

(m) The approximate lot layout and the approximate dimensions of each lot and of each building site. Engineering data shall show the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, the top and toe of cut and fill slopes to scale, and the number of each lot; the proposed areas for public use; and the angle of intersecting streets or highways if such angle deviates from a right angle by more than four degrees;

(n) The location of all cut and fill slopes or a separate grading plan;
(o) Each street shown by its actual street name or by a temporary name or letter for purpose of identification until the proper name of such street is determined;

(p) The name or names of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map;

(q) A geologic soils report prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations, unless the community development department determines that, due to the knowledge such department has as to the soil qualities of the soil of such subdivision or lot, no preliminary analysis is necessary. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the person filing the tentative map shall submit a soils investigation of each lot in the subdivision, prepared by a civil engineer who is registered in this state, which shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. The community development department shall approve the soils investigation if it determines that the recommended action is likely to prevent structural damage to each dwelling to be constructed and shall require that the approved recommended action be incorporated in the construction of each dwelling as a condition to the building permit. Appeal from such determination shall be to the board of building and fire code appeals.

If the community development director finds that a written geological report is necessary to determine whether the property to be divided is subject to an existing or potential geological hazard, the person filing the tentative map shall submit such a report to said board. The report shall be prepared by a registered engineering geologist;

(r) At its option, the planning commission may require all proposed dedications or offers of dedication to be made by deed.

Such information may be furnished separately from the map itself.

The planning commission may waive any of the foregoing requirements whenever the planning commission finds that the type of subdivision is such that compliance is unnecessary or that other circumstances justify the waiver. The planning commission may require such drawings, data, or other information as is deemed necessary. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.03.010].

The planning commission shall hold a public hearing on the tentative map, and notice thereof shall be given as provided in Section 66451.3 of the Subdivision Map Act. Any interested person may appear at such a hearing and shall be heard. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.03.020].

Notice of the time and place of said hearing, and a general description of the location of the subdivision, shall be published once in the official newspaper of the city at least 10 days before the date of the hearing. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.03.030].

24.12.040 Time limitations.
The following time periods shall be applicable to tentative maps:

(a) The approval or conditional approval of a tentative map shall expire 12-24 months from the date the map was approved or conditionally approved.

(b) The person filing the tentative map may request an extension of the tentative map approval or conditional approval pursuant to the Subdivision Map Act by written application to the planning commission, such application to be filed at least 30 days before the approval or conditional approval is due to expire. The application shall state the reasons for requesting the extension. In granting an extension, new conditions may be imposed and existing conditions may be revised.

(c) An extension or extensions of tentative map approval or conditional approval shall not exceed an aggregate of two six years.

(d) Modification of a tentative map after approval or conditional approval shall not extend the time limits imposed by this section. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.03.040].

24.12.045 Findings.
The planning commission shall determine whether the tentative map is in conformity with the provisions of the Subdivision Map Act and of this Chapter, the City’s General Plan and zoning ordinance, and upon that basis within fifty days after the filing of the tentative map, approve, conditionally approve, or disapprove the same and shall report such action direct to the subdivider and shall also transmit to the City Engineer a copy of the tentative map, and a memorandum setting forth the action of the commission thereon.

24.12.050 Appeal from decision of planning commission.
Decisions of the planning commission with respect to a tentative map may be reviewed by the city council as follows:
(a) The subdivider may appeal and such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Sections 66452.5(a) and (b).

(b)

(c) Notwithstanding the provisions of subsections (b) and (c) of this section, any *any* interested person may appeal any decision of the planning commission relative to the provisions of Government Code Sections 66473.5, 66474, 66474.1, and 66474.6 to the city council. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Sections 66452.5(a) and (b) and PGMC Chapter 24.16.030, 23.74 PGMC. The responsibilities of the city council under said Sections 66473.5, 66474, 66474.1, and 66474.6 are assigned to the planning commission. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.03.050].

**Chapter 24.16**
**APPROVAL OF FINAL MAPS**

Sections:

24.16.010 Time limitation on submittal.

24.16.020 Conformance to tentative map.


24.16.040 Time limitation on planning commission action.

24.16.050 Transmittal to city council.

24.16.010 Time limitation on submittal.

No final map shall be approved which is not submitted within the time limits prescribed by PGMC 24.12.040. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.04.010].

24.16.020 Conformance to tentative map.

The final map shall *substantially* conform to the tentative map as approved or conditionally approved. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.04.020].


The final map shall be in the form and have the content prescribed by Section 66434 of the Government Code, and shall bear the certificates and acknowledgments prescribed by Sections 66435 through 66443 of said code. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.04.030].

24.16.040 Time limitation on planning commission action of City Engineer.

(a) The planning commission of City Engineer shall consider the approval or disapproval of the final map not later than at its next regular meeting after the meeting at which it receives the map. *shall notify the*
City Council at its next regular meeting after the City Engineer receives the map that the City Engineer is reviewing the map for final approval.

(b) The City Engineer shall approve or disapprove the final map within 10 days following the meeting of the City Council that was preceded by the notice in (d) below.

(c) The City Engineer’s action may be appealed to the City Council in accordance with Chapter 23.74 PGMC.

(d) The City Clerk shall provide notice of any pending approval or disapproval by the City Engineer, which notice shall be attached and posted with the City Council’s regular agenda and shall be mailed to interested parties who request notice.

(e) The City Council shall periodically review the delegation of authority to the City Engineer.

(f) Except as specifically authorized by this Chapter, the processing of final maps shall conform to all procedural requirements of the Subdivision Map Act. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.04.040].

24.16.050 Transmittal to city council.
The city clerk shall transmit to the city council all final maps and parcel maps which have been finally approved. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.04.050].

Chapter 24.20
IMPOSITION OF FEES

Sections:
24.20.010 Fees.

24.20.010 Fees.
Fees for parcel maps, tentative maps, final maps and certificates of compliance shall be as established by resolution of the council. [Ord. 09-005 § 37, 2009; Ord. 1765 N.S. § 30, 1991. Formerly 24.05.010].

Chapter 24.24
ENVIRONMENTAL IMPACT AND GRADING AND EROSION CONTROL

Sections:
24.24.010 Environmental impact analysis required.
24.24.020 Compliance with grading and erosion control requirements.

24.24.010 Environmental impact analysis required.
No parcel or tentative map filed pursuant to the provisions of this title shall be approved until an environmental impact analysis is prepared, processed, and considered in accordance with the provisions of this code. The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of environmental review documents. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.06.010].

24.24.020 Compliance with grading and erosion control requirements.
Every map approved pursuant to this title shall be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, set forth in this title. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.06.020].

Chapter 24.28
SOIL REPORTS

Sections:

24.28.010   Requirements.

24.28.010 Requirements.
(a) A preliminary soils report, prepared by a civil engineer registered in this state and based upon adequate test borings, shall be submitted to the city engineer for every subdivision.

(b) A preliminary soils report may be waived by the city engineer, providing the city engineer finds that, due to the knowledge the city has as to the soils qualities of the soils in the subdivision, no preliminary analysis is necessary.

(c) If the city has knowledge of, or the preliminary soils report indicates, the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision shall be required. Such soils investigation shall be done by a civil engineer registered in this state, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

The planning commission may approve the subdivision or portion thereof where such soils problems exist if it determines that the recommended action is likely to prevent structural damage to each structure to be constructed and a condition to the issuance of any building permit may require that the approved recommended action be incorporated in the construction of each structure. [Ord. 09-005 §§ 37, 38, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.07.010].
Chapter 24.32
SUBDIVISION STANDARDS

Sections:

24.32.010 Utilities and improvements generally.

24.32.020 Cement installations.

24.32.030 Subbase installations.

24.32.040 Subgrade covering.

24.32.050 Base covering.

24.32.060 Curbs and gutters.

24.32.070 Sidewalks.

24.32.080 Driveways.

24.32.090 Water mains and fire hydrants.

24.32.100 Utility distribution facilities.

24.32.110 Streets.

24.32.120 Drainage facilities.

24.32.130 New concepts in lot arrangement and transportation patterns.

23.32.140 Passive or natural heating or cooling.

24.32.010 Utilities and improvements generally.

Unless exempted under the provisions set forth elsewhere in this title, each subdivision shall provide for the installation of curbs and gutters, sidewalks, driveways, sanitary sewers, water mains, fire hydrants, street lights, street name signs, street trees, required easements, streets, survey monuments, and drainage facilities. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.010].

24.32.020 Cement installations.

All installations of portland cement shall be made with Class B portland cement conforming to current standard specifications of the state of California, Department of Transportation. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.020].

24.32.030 Subbase installations.

All installations of subbase shall conform to Class 1 subbases of the standard specifications of the state of California, Department of Transportation. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.030].

24.32.040 Subgrade covering.
The prepared subgrade shall be covered with class “2” aggregate base material in accordance with standard specifications. The aggregate shall conform to the grading as specified for one and one-half inch maximum aggregate or three-quarters inch in accordance with the standard specifications, including penetration treatment. Said aggregate base shall be a minimum of six inches thick unless engineering tests show a lesser thickness can be used. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.040].

**24.32.050 Base covering.**
The base shall be covered with a two-inch thick (after compaction) plant-mix surfacing conforming to Type “B” three-quarter-inch thick maximum aggregate of the standard specifications of the state of California, Department of Transportation. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.050].

**24.32.060 Curbs and gutters.**
Integral portland cement concrete curbs and gutters shall be required throughout. Vertical curbs six inches in height shall be used as per city requirements. Gutters should be at least 24 inches in width. Tops opposite curbs shall preferably be level at any station outside the intersection proper. Vertical curb and gutter shall conform to State Standard A2-6. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.060].

**24.32.070 Sidewalks.**
Portland cement concrete sidewalks shall be required throughout with the following specifications:

(a) Thickness: four inches;

(b) Width: minimum of five feet not counting top of curb.

Sidewalks shall be located adjacent to the curbs on streets up to and including 50 feet in width. Streets wider than 50 feet shall have sidewalks placed either one foot from the property line or adjacent to the curb. Sidewalks wider than five feet may be required.

Trees located in the sidewalk area shall not be cut unless the provisions of PGMC Title 12, Trees and Vegetation, are complied with. Sidewalks may meander from the curbline in order to avoid trees. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.070].

**24.32.080 Driveways.**
Portland cement concrete driveways shall be required throughout with the following dimensions:

(a) Thickness: six inches;
(b) Width: 16 feet for a single driveway and 24 feet for a double driveway. The width dimension includes the curb taper at each end. The drive section shall slope from the bottom of the gutter which has a five-eighths-inch lip to the back edge of the sidewalk. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.080].

24.32.090 Water mains and fire hydrants.
Water mains and fire hydrants shall be designed to provide at least minimum capacity at the fire hydrants as specified by the Insurance Services Office standards. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.090].

24.32.100 Utility distribution facilities.
All utility distribution facilities, including but not limited to electric, communication, and cable television lines, installed in and for the purpose of supplying service to any subdivision, shall be placed underground, except the following may be permitted:

(a) Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts, shall be installed per utility standards.

(b) Approved poles supporting street lights only.

The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies involved for the installation of said facilities. The planning commission may waive the requirements of this section if topographical, soil, or any other conditions make underground installation of said facilities unreasonable or impractical.

All underground utility installation under roadways shall be completed prior to the paving of the road unless otherwise permitted by the city engineer. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.100].

24.32.110 Streets.
Minimum width of any street right-of-way shall be 50 feet. Cul-de-sacs shall terminate in a turnaround with a 40-foot radius. Wider right-of-way dedications may be required. The traveled way of streets shall be at least 36 feet between curb faces and shall be located in the center of the right-of-way.

All streets shall conform to standard specifications set forth in PGMC 24.32.020 through 24.32.050.
Streets shall not be required to any lot in the subdivision which shall have adequate access to an existing street, unless such access is required to be waived under PGMC 24.36.010. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.110].

24.32.120 Drainage facilities.
Drainage facilities shall be designed in accordance with accepted engineering principles and located in public streets or easements. Drainage facilities shall be located in the street right-of-way where practical.

Drainage facilities and design criteria shall be approved by the city engineer. Upstream areas shall be considered as if fully developed. Downstream facilities shall be adequate or improved to accommodate the design flow.

Artificial and natural watercourses may be required to be placed in closed conduit. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.120].

24.32.130 New concepts in lot arrangement and transportation patterns.
Where a subdivider signifies his or her intent to enhance the livability, convenience, and appearance of his or her proposed subdivision and the health, safety, or general welfare of the users of the subdivision by using new concepts in the arrangement of lots, transportation patterns, and by providing permanent open space in the proposed subdivision, and appropriate means of access to blocks, schools, shopping centers, and other uses which do not literally comply with the requirements of this title but which serve and implement the intent of this title, he or she may be permitted exceptions from the provisions of PGMC 24.08.070(c), (d), and 24.32.110, provided he or she complies with the following:

(a) The gross density of an area is not increased and the design has the approval of the planning commission and the city council, and each finds that the exceptions will:

(1) Produce a more desirable and livable community than would be effected by compliance with the excepted standards;

(2) Create better community environment through dedication of public areas, or setting out of scenic easement and open spaces.

(b) Where the map provides for a condominium or similar type of subdivision, a building permit may be issued and improvements may be allowed prior to the filing of the final map; provided, that no property be transferred and no occupancy certificate granted until said final map has been approved and filed with the county recorder.
(c) Exceptions in lot size may be authorized which do not result in an increase in density in the overall development.

(d) Where lot sizes are proposed to be reduced by use of common areas, dedication of open areas, or by agreement to give up development rights as a method of maintaining the density required for an area, the credit for such common areas, open areas dedicated, or development rights offered shall be based on the density permitted under the zoning district in which the offer is made or on the basis of the lot sizes required, whichever is more restrictive. [Ord. 09-005 § 37, 2009; Ord. 879 N.S. § 4, 1976. Formerly 24.08.130].

23.32.140 Passive or natural heating or cooling.

The design of a subdivision for which a tentative map is required shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Examples of passive or natural heating opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure.

Examples of passive or natural cooling opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes.

In providing for future passive or natural heating or cooling opportunities in the design of a subdivision, consideration shall be given to local climate, to contour, to configuration of the parcel to be divided, and to other design and improvement requirements, and that provision shall not result in reducing allowable densities or the percentage of a lot that may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map is filed.

For the purposes of this Section, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.