



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

MINUTES OF REGULAR MEETING

PLANNING COMMISSION

DATE & TIME: Thursday, August 19, 2010 – 6:00 P.M.

LOCATION: CITY HALL, COUNCIL CHAMBERS – 300 FOREST AVENUE

MEETING AGENDA:

1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Roll Call

Planning Commission Members present: Linda Bailey (Vice-Chair), Jeanne Byrne, Bill Frederickson, Steven MacDonald, and Craig Riddell (Chair)

Planning Commission Members absent: Bill Bluhm, and Eric Miller

3. Approval of Minutes

Minutes of the July 22, 2010 Planning Commission Regular Meeting

On a motion by Bailey, seconded by MacDonald, the Planning Commission voted 4-0-1 (Byrne abstaining) to approve the minutes.

4. Public Comments

None.

5. Written Correspondence

None.

6. Items to be Continued or Withdrawn

None.

7. Consent Agenda

None.

8. Regular Agenda

- A. **Project Description:** Zoning Code Changes to Streamline Planning Permit Procedures
- CEQA Status: Not a project under CEQA
- Staff reference: Lynn Burgess, AICP, Chief Planner
- Recommended Action:** **Receive staff report, hold a public hearing, provide feedback to staff on further streamlining options, and continue the public hearing to September 2, 2010.**

Lynn Burgess presented the staff report and both Ms. Burgess and Associate Planner Anne Coates responded to Planning Commission questions. Ms. Burgess recognized the efforts of the Subcommittee for this project, which is comprised of Chair Riddell, Commissioner Bluhm and ARB Member Rosas. Ms. Burgess handed out two items: 1) the staff report to the City Council on Zoning Code Clean-ups, dated 8/18/10, and 2) the Planning Commission's zoning interpretation for Code Section 23.73.042(a), Architectural Review Board Approval Not Required, dated 7/6/09. The Commission held a lengthy discussion on the materials presented. Chair Riddell opened and closed the public comment period, with no one wishing to testify.

The Commission expressed general support for the proposed new permit paths and the types of projects that would fall under each, as presented by staff, with the following changes:

- An appeal of a Notice of Intent to Approve Permit (NOI) should go to the Zoning Administrator, rather than a Board or Commission.
- Allow minor lot line adjustments to be approved by planning staff, rather than Site Plan Review Committee.
- Consider two types of counter approvals, one that is optional to the applicant and the other that is required by the zoning code to be approved by staff.
- Rename "Zoning Clearance" to "Counter Review," "Fast Track Permit" or another name that is more user-friendly to the lay person and will help differentiate it from a zoning permit (e.g., use permit).
- PC should retain approval authority for use permits and variances pertaining to single-family homes, but consider allowing less precedent setting permits of this nature to go to the Zoning Administrator.
- Allow staff approval of additions to list of permitted uses, include a listing of any such additions on the following PC agenda, and provide for appeals and call-ups to go to the PC.
- Consider shifting some architectural review for multi-family residential, commercial, and institutional projects to a staff-level approval.
- Describe in the code the expedited process for reviewing emergency repairs.

The Planning Commission also made the following requests of staff:

- Add the Commission’s zoning interpretation for Section 23.73.042(a) to the September 2, 2010 meeting agenda to consider the following: 1) determine if the 7/6/09 interpretation should remain as is or be modified in any way, and 2) how to better define what is and is not “visually significant” for purposes of implementing this code section.
- Determine if there is a legal issue with charging a flat fee for the NOI permit when the review process will differ among those permits that require protest hearings and those that do not.
- Add the following items to the punch list of Zoning Code clean-ups and consider them at a later time: 1) revise the language of Section 23.73.042(a) to clarify, and 2) review and update the Permitted Use lists in all zoning districts.

On a motion by Bailey, seconded by Byrne, the Planning Commission voted 5-0 to continue the public hearing on the Zoning Code Changes to Streamline Planning Permit Procedures to September 2, 2010.

9. Acceptance of Minutes from Other Bodies

A. Architectural Review Board

1. Minutes of the August 10, 2010 Architectural Review Board Site Review Meeting
2. Minutes of the August 10, 2010 Architectural Review Board Regular Meeting

On a motion by Bailey, seconded by Byrne, the Planning Commission voted 5-0 to accept the minutes as presented.

10. Reports of PC Subcommittees

None.

11. Reports of PC Members

Commissioner Bailey handed out excerpts from the Zoning Code that addresses the issue of artificial turf and suggested that this issue be added to the punch list of Zoning Code clean-ups and be considered at the time that other substantive revisions are reviewed. The Commission concurred.

12. Reports from Council Liaison

Council Liaison Bill Kampe had no items to report.

13. Reports from Staff

In response to Commissioner Byrne who asked why “porches” are included in floor area calculations, Senior Planner Karen Vaughn handed out Zoning Code excerpts that define how the terms Floor Area, Building Coverage, and Site Coverage are used in the code. Ms. Vaughn explained how staff has reached its interpretation. While Commissioner Byrne disagreed with staff’s interpretation, other Commissioners commented that it was a reasonable interpretation for the staff to make. All agreed that the code language needs to

be clarified. The Commission requested that staff bring a rewrite of these definitions back to the Commission in October as part of the Code Reformatting project.

Ms. Burgess highlighted the table in the agenda packet of Board/Commission participation in this year's Advance Planning projects and asked if there were any additional volunteers. In response, the following Commissioners volunteered for the projects noted:

- **Commissioner Byrne** – Code Reformatting; Code Changes for CLG Status
- **Commissioner Bailey** – Code Reformatting

14. Adjournment

The meeting was adjourned at 8:45 p.m.