




City of Pacific Grove
COMMUNITY DEVELOPMENT DEPARTMENT
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MEMORANDUM

TO: Planning Commission, Architectural Review Board, and Members
of the Public

FROM: Lynn Burgess, AICP, Chief Planner 

DATE: September 15, 2010

SUBJECT: **Zoning Interpretation for Municipal Code Section 23.73.042(a)
Regarding Projects that are Exempt from ARB Review**

Municipal Code Section 23.73.042(a) describes the projects that are exempt from Architectural Review Board (ARB) review (see attached). To help clarify the types of projects eligible for this ARB exemption, the Planning Commission discussed the matter on two occasions, May 7, 2009 and September 2, 2010, and made the following Zoning Code interpretation:

- Building **additions** under Item (1) of this Subsection are wholly exempt from ARB review.
- **All other building alterations**, if visible from a public street, first should be reviewed by the Chief Planner or designee. If deemed “visually insignificant,” such alterations are exempt from ARB review. If not deemed “visually insignificant,” they require ARB review.
- **“Visually insignificant”** is defined as follows: *Does not noticeably alter the character or architectural style of the structure as viewed from a public street.* For example, roof replacement materials that are either in kind or match the existing or original roofing material, such as from wood shake to composition shingle, would be considered “visually insignificant.” A change to a different roof material, such as from wood shake to mission tile, would not be considered “visually insignificant.”
- The City’s Architectural Review Guidelines do not apply to projects that are exempt, pursuant to the above, from ARB review.
- Projects that are exempt from ARB review may still require other City permits, such as a building permit or tree permit. All applicants should

consult with the CDD Building staff regarding the need for a building permit. Applicants should consult with the Public Works staff if any trees are proposed to be removed or significantly trimmed.

- If the project site is located in the Archaeological Sensitivity Zone, an archaeological report may be required during the building permit review process to determine if there are significant archaeological resources that may be impacted by the proposed project, pursuant to General Plan Section 7.5.
- If the project site is located within the Monarch Butterfly Habitat Overlay, during the building permit review process, mitigation measures may be required to ensure protection of this sensitive habitat, pursuant to General Plan Sections 6.4 and 6.6.

Attachment

Excerpt from Pacific Grove Zoning Code
Chapter 23.73 – Architectural Review Board

23.73.042 - Architectural review board approval not required.

Approval of the architectural review board shall not be required for the following:

(a) Single-family dwellings in R-1 zoning districts for (1) exterior additions less than 25 percent of the dwelling's existing square footage which do not enlarge or create a second story, (2) color, (3) landscaping, (4) modifications or additions either visually insignificant or not visible from any adjacent public street, as determined by the chief planner. These exceptions shall not apply to projects in other zoning districts, to structures on the historic resources inventory, to projects for which a variance or use permit is required, or to projects in the coastal zone.

(b) A second unit requiring a use permit under PGMC 23.80.040(b) if the project is either visually insignificant or not visible from any adjacent public street, as determined by the chief planner.

(c) Projects eligible for administrative approval by the chief planner, as specified in PGMC 23.73.045. [Ord. 08-008 § 5, 2008].