
CITY OF PACIFIC GROVE GENERAL PLAN

❖ OCTOBER 1994 ❖



sites, subdivision of lots, development of buildable lots, and vacant lots—would produce at most 2,000 units, and again, past trends lead to the conclusion that new development will occur at a measured pace.

Over the years, City decision-makers have become increasingly aware of the potential for land divisions (lot splits and subdivisions) which—although they comply with the City’s minimum standards—create incongruities in lot size or shape compared to neighboring properties. Goal 2, and Land Use Policies 4 through 7, address this issue.

The rapidity and extent of infill and intensification will depend on—in addition to water—market demand, land values, rent levels, overall economic conditions, tax laws, and the City’s regulatory policies. As infill and intensification occur, the City intends to preserve Pacific Grove’s residential character and ease the pressure on its aging infrastructure.

Goals, policies, and programs in Sections 2.6 through 2.14 and throughout the General Plan address how the city may and should develop.

2.6 DEVELOPMENT POTENTIAL AND ANNEXATION

Until now, the City has had no formal annexation policy. According to State law, a city’s General Plan may cover “any land outside its boundaries which, in the planning agency’s judgment, bears relation to its planning.” The City of Pacific Grove has selected for its Planning Area the existing incorporated city plus the unincorporated Spanish Bay, Country Club, and Gowen Cypress areas of Del Monte Forest to the south, and the Presidio and portions of Monterey bordering David Avenue. Figure 1-2 shows the Planning Area and other boundaries.

The much smaller Sphere of Influence (the city’s ultimate service area boundary), adopted for Pacific Grove in 1984 by LAFCO, includes only the existing incorporated city plus the three-acre Mission Linen property at Sunset Drive and Congress Avenue. The Mission Linen property is a county island completely surrounded by incorporated Pacific Grove. LAFCO policies support its eventual annexation.

Except for the Mission Linen property, the City does not expect to annex the adjacent unincorporated areas. Nevertheless, it is concerned about the growth and flow of traffic from them, and the likely impact of that traffic

on the City of Pacific Grove and its residences and businesses. The unincorporated portions of Del Monte Forest within Pacific Grove’s Planning Area still have development potential for 285 residential units.

These unincorporated areas have strong economic and social ties to Pacific Grove. They are part of the Pacific Grove Unified School District, and residents of the area do much of their convenience shopping in Pacific Grove. Two of the five gates to Del Monte Forest open onto Pacific Grove streets. Thus, the City’s main planning concerns about development in Del Monte Forest relate to traffic (addressed in the Transportation Chapter of this General Plan) and to providing public services including schools, library, and recreation facilities and programs.

Against this background of land use history, the City has adopted the following goals, policies, and programs:

GOAL 1 Provide for orderly, well-planned, and balanced development consistent with the historic nature of Pacific Grove, the capacity of the City’s infrastructure, and ability to assimilate new growth.

GOAL 2 Repair and upgrade the City’s infrastructure.

POLICY 1 Seek to preserve Pacific Grove’s traditional “hometown” qualities.

POLICY 1.5 Protect Pacific Grove’s residential character by prohibiting the short-term (less than 30 consecutive calendar days) rental of residential property in residential zoning districts, except to the extent such use is allowed in the Coastal Zone under the Local Coastal Program. The Pacific Grove Municipal Code shall be consistent with this Policy.

Policy 1.5 was added by the Initiative to Preserve and Protect Pacific Grove’s Residential Character. Policy 1.5 may be repealed or amended only by a vote of the people. The Initiative also amended the Pacific Grove Municipal Code to be consistent with Policy 1.5, including a requirement that existing transient use of residential



An example of Pacific Grove’s “hometown qualities”

property inconsistent with Policy 1.5 be discontinued within 18 months from the date the Initiative was approved by the voters.

POLICY 2 **Ensure that new development is compatible with adjacent existing development.**

“Compatible” means “capable of existing together without conflict or detrimental effects.” This policy applies broadly and citywide to residential and commercial uses. Its purpose is to ensure harmonious or at least unobtrusive development in terms of use, density, intensity, and architectural character. It is not intended to restrict new buildings or additions to exact duplications of styles or heights. This policy also is **not** intended to restrict the conversion of single-family dwellings to apartments if the parcel is zoned for multi-family use and if there are other multi-family uses nearby.

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

POLICY 4 **Continue to preserve Pacific Grove’s character and regulate development so as not to overburden the City’s infrastructure.**

Some streets and water lines are currently deficient and would be strained by build-out to current zoning.

POLICY 5 **Avoid creating land divisions that result in lots smaller than prevailing lot sizes in the neighborhood, or which are**

inconsistent with the configuration of surrounding lots.

POLICY 6 **Preserve significant areas of vegetation and open space when approving land divisions.**

Significant can mean, for example, a single specimen tree, vegetation serving as habitat, or a grove of several native trees which enhance the canopy and scenic beauty of a neighborhood.

POLICY 7 **Evaluate and mitigate the impacts of proposed land divisions on traffic, access, trees, topography, environmentally sensitive habitat, utilities, and public services, through the approval process.**

In order to mitigate the impacts, the number of lots to be created may be reduced.

POLICY 8 **View more favorably those land divisions where existing buildings with historic or architectural significance are retained and/or improved rather than demolished.**

POLICY 9 **Strive to preserve significant public view corridors.**

POLICY 10 **Strive to protect property owners’ rights to privacy and reasonable access to light, air, and sunshine.**

The policies above are carried out by the programs below.

Program A Create buffers between commercial and residential areas where feasible.

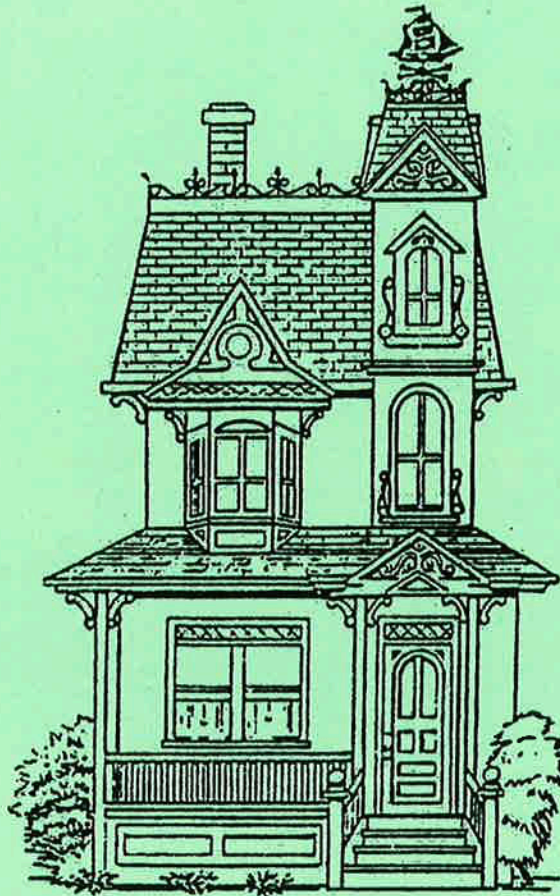
Program B Continue to regulate the intensity of commercial uses, and maintain the underlying distinctions of each commercial area.

Program C Revise height and lot coverage standards to regulate the size and mass of residential additions and expansions.

Program D Consider including floor area ratios (FARs) in the zoning regulations for residential areas.

Floor area ratios regulate building mass and scale.

ZONING ORDINANCE



CITY OF PACIFIC GROVE

23.64.310 Swimming pools.

Swimming pools shall not project into a front yard area and shall be situated no closer than five feet to any property line.

The swimming pool or all or a portion of the property containing the pool shall be entirely protected by a wall or fence of 66 inches in height and without openings except for gates containing self-latching devices at least 45 inches above ground level. [Ord. 720 N.S. § 14, 1972; Ord. 593 N.S. § 1(f), 1968].

23.64.320 Unlawful sale of subdivided contiguous lots.

It is unlawful for any owner or owners of subdivided contiguous lots, each of which may otherwise be of legal size, frontage, and area, to sell, transfer, or convey one or more of the subdivided lots where, as a result of such sale, transfer, or conveyance, the lot or lots which has or have been sold, transferred, or conveyed, or the lot or lots which is or are retained by said owner or owners, will not conform with the requirements of this code. [Ord. 878 N.S. § 1, 1976].

23.64.340 Consistency with county hazardous waste management plan.

All approved applications for use permits, variances, subdivisions and other land use entitlements shall be consistent with portions of the Monterey County hazardous waste management plan which identify general areas or siting criteria for hazardous waste facilities. [Ord. 1727 N.S. § 1, 1990].

23.64.350 Transient use of residential property for remuneration.

(a) Definitions. For the purpose of this chapter certain terms used herein shall have the meanings set forth in this chapter, and such meanings shall prevail in case of conflict with the definitions set forth in Chapter [23.08](#) PGMC.

- (1) "Person" means an individual, a group of individuals, or an association, firm, partnership, corporation or other entity, public or private.
- (2) "Owner" means the person who possesses fee title to a transient use site.
- (3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.
- (4) "Remuneration" means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.
- (5) "Residential property" means any dwelling unit, except those dwelling units lawfully

established as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use not prohibited by this section.

(6) "Responsible tenant" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site.

(7) "Transient" means a period of time less than 30 consecutive calendar days.

(8) "Transient use of residential property" means the commercial use, by any person, of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than 30 consecutive calendar days.

(9) "Transient use site" and "transient use" mean property occupied and used for transient or short-term rental purposes.

(10) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(b) Transient use of residential property must comply with General Plan Policy 1.5. Specifically, transient use of residential property for remuneration is prohibited, and no transient use license may be issued, in any residential zoning district, including R-1, R-H, R-1-H, R-1-B-2, R-1-B-3, R-2, R-2-B-3, R-3, R-3-P.G.R., R-3-M, R-4, and all PUD districts, except to the extent that such use is both (1) in the coastal zone and permitted under the local coastal program, and (2) permitted by a transient use license issued by the city. Transient use of residential property for remuneration in nonresidential zoning districts is prohibited, except (1) as otherwise expressly permitted by this title, or (2) when such use is permitted by a transient use license issued by the city. Transient use of residential property for remuneration does not include "home sharing" permitted by the city or house swaps, house sitting, pet sitting, work trade, and similar noncommercial arrangements that do not involve an exchange of money.

(c) In order to provide a reasonable phase-out of transient uses of residential property for remuneration, notwithstanding any other provision of this code, all uses that become nonconforming as a result of the amendment to this section by the Initiative to Preserve and Protect Pacific Grove's Residential Character, including uses permitted under short-term rental licenses, shall be discontinued within 18 months from the date that the initiative was approved by the voters.

Nothing in this subsection is intended to affect any city authority to terminate uses found to be a nuisance, or that are otherwise unlawful.

(d) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Any owner, owner representative, responsible tenant, or other person who uses, or allows the use of, residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(3) Violations of this chapter may be prosecuted pursuant to Chapter [1.16](#) PGMC, or enforced pursuant to Chapter [1.19](#) PGMC.

(4) Penalties may be assessed for violations as provided in Chapters [1.16](#), [1.19](#), and/or [7.40](#) PGMC. The maximum limits set for administrative penalties in PGMC [1.19.200](#), however, shall not apply to any violation of this chapter or Chapter [7.40](#) PGMC.

(e) This section may be repealed or amended only by a vote of the people, except that amendments do not require a vote of the people if they (1) apply only in the coastal zone or (2) amend subsection (d) of this section concerning liability and enforcement. [Ord. 18-018 § 3, 2018; Ord. 16-007 § 2, 2016; Ord. 10-001 § 2, 2010; Ord. 08-006 § 79, 2008; Ord. 1933 N.S. § 1, 1994; Ord. 1913 N.S. § 1, 1993].

23.64.360 Permitting of undocumented dwelling units.

Repealed by Ord. 17-013. [Ord. 13-005 § 2, 2013].

23.64.370 Permitting home sharing.

(a) Definitions. For the purposes of this section, certain terms used herein shall have the meanings set forth below or in PGMC [23.64.350](#), and such meanings shall prevail in case of conflict with the definitions set forth in Chapter [23.08](#) PGMC.

(1) "Guest" means a person who rents a bedroom and ancillary facilities at a home sharing

site.

(2) "Home sharing" means an activity whereby residents host guests in their homes, for compensation, for periods of 30 consecutive days or less, while at least one of the dwelling unit's residents lives in the dwelling unit.

(3) "Home sharing site" means property occupied and used for home sharing purposes.

(4) "Resident" means a person legally residing in a dwelling unit in excess of 30 consecutive days. Such resident may be the owner or a tenant living there with the approval of the owner.

(b) Home sharing for remuneration is allowed pursuant to this chapter; provided, that a separate home sharing permit has first been granted and validly maintained for each home sharing site.

(c) Each home sharing permit shall meet all requirements of this section, including:

(1) Each "home sharing" permit shall be subject to the following conditions:

(A) Home sharing is limited to single-family dwellings in any residential or commercial zone. Home sharing is not permitted in dwelling units lawfully established as second units pursuant to Chapter [23.80](#) PGMC; in any accessory unit to a single-family dwelling; in any condominium, multifamily dwelling unit or any other "tenants in common" dwelling unit; in any room, detached rooms, or any portion of a single-family that does not provide both kitchen and bathroom facilities; or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use;

(B) The resident shall also occupy the home throughout the duration of any home sharing;

(C) A maximum of one bedroom in the home may be rented to adults; a second bedroom may be rented to children as part of the same contract;

(D) No more than two adults shall occupy the rented bedroom;

(E) Guest(s) shall have exclusive use of the rented bedroom(s) and shared use of a full bathroom and kitchen;

(F) Neither bedrooms nor bathrooms shall contain cooking facilities;

(G) A designated on-site parking space for use by overnight guests, if it exists, or one parking space on any on-site driveway, if it exists.

(2) Owner or owner representative of any qualifying residential property may submit an application to the city for an administrative home sharing permit, along with payment of the approved fees, an affidavit affirming that smoke detectors are installed and maintained in all sleeping quarters and common areas, that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The owner or owner representative shall provide access and information to a certified inspector to ensure health and safety of the home share site, prior to issuance of the permit; a report verifying inspection of the site has occurred, and that the home sharing site conforms to all requirements of this section.

(3) A home sharing permit shall continue in force, as long the conditions are met, except upon cancellation by the owner or owner representative, or upon the sale or transfer of the property.

(4) Once a permit is approved, all transient occupancy taxes as set forth in Chapter [6.09](#) PGMC, and fees, as adopted from time to time in the city's master fee schedule shall be collected and remitted to the city, and are applicable.

(5) Evidence of transient occupancy of a permitted home sharing site, statements and records, failure to file statement or corrected statement, payment of transient occupancy tax, appeal of tax, additional power of city, permit nontransferability, permit denial or revocation, appeal of revocation or suspension, penalties, and liens, shall be as provided in PGMC [7.40.110](#) through [7.40.210](#), inclusive.

(d) Liability and Enforcement. For the purposes of this section, liability and enforcement shall be the same as PGMC [23.64.350](#)(c). [Ord. 16-006 § 2, 2016].

The Pacific Grove Municipal Code is current through Ordinance 20-004, passed February 19, 2020.

Disclaimer: The City Clerk's office has the official version of the Pacific Grove Municipal Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofpacificgrove.org/>

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