NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, August 2, 2023, 6:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

The Council will not begin consideration of any item on this agenda later than 10:00 p.m. unless such consideration is approved. Any items on this agenda not considered this evening will be continued to a future meeting.

Copies of the agenda packet are available for review at the Pacific Grove Library, in the Finance Department, and electronically at www.cityofpacificgrove.org/agendas. The most effective method of communication with the City Council is by sending an email to citycouncil@cityofpacificgrove.org. In order to allow the City Council adequate time to review communication related to an agenda item, it is recommended that the communication be sent no later than 9:00 AM on the day prior to the City Council meeting.

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

PLEASE NOTE THE MEETING WILL PROCEED AS NORMAL EVEN IF THERE ARE TECHNICAL DIFFICULTIES ACCESSING ZOOM.
THE CITY WILL DO ITS BEST TO RESOLVE ANY TECHNICAL ISSUES AS QUICKLY AS POSSIBLE.

THE PUBLIC MAY ALSO VIEW THE MEETING ON PENINSULA CHANNEL 25.

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MEETING INSTRUCTIONS

The public may also view the meeting on the Peninsula Channel 25.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Mayor Peake

1. **APPROVAL OF AGENDA**

A. City Manager Pro Tempore Appointment and City Manager Recruitment
Reference: Nick Smith, Mayor Pro Tem and Bill Peake, Mayor **PG 7**
Recommended Action:

1. Motion to appoint Tori Hannah as City Manager Pro Tempore, with hiring authority, effective immediately.
2. Motion to direct City Attorney to prepare an ordinance to amend the salary classification schedule to include a salary for City Manager Pro Tempore at $103.85/hour effective retroactive to July 28, 2023
3. Motion to create City Manager Recruitment Subcommittee comprised of Mayor Peake, Mayor Pro Tempore Smith and Councilmember Coletti with responsibility to assist with City Manager recruitment and evaluation, or
4. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

2. **PRESENTATIONS**

A. Mayor's Proclamation: Recognizing 54th Coast Artillery Regiment **PG 9**
Reference: Bill Peake, Mayor
Recommended Action: Receive presentation.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

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

A. Other

4. **GENERAL PUBLIC COMMENT**
General Public Comment must deal with matters subject to the jurisdiction of the City and the Council 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 Council. Comments from the public will be limited to three minutes and will not receive Council action. Comments regarding items on the Regular Agenda shall be heard prior to Council's consideration of such items at the

time such items are called. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

A. Written General Public Comment

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 Council, 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.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business

A. Minutes of the July 19, 2023 Closed Session and Regular Agenda Meetings **PG 11**
Reference: Sandra Kandell, City Clerk
Recommended Action: Approve minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Minutes of the July 26, 2023 Special Closed Session Meeting **PG 20**
Reference: Sandra Kandell, City Clerk
Recommended Action: Approve minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

6. RESOLUTIONS

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

7. ORDINANCES

Items pulled from this section will be placed under 11. Public Hearings

A. Second reading amending ordinance 23-008, City Salary Classification Schedule (POA)
Reference: Leticia Livian, Human Resources Director **PG 23**
Recommended Action: Hold second reading of an ordinance to amend the salary classification schedule to modify the salary range for Police Officer and Police Sergeant and approve the amendment.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

8. **REPORTS – INFORMATION ONLY**
Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

9. **REPORTS – REQUIRING ACTION**
Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. Monterey Regional Waste Management District MOU **PG 27**
Reference: George Fuerst, Environmental Program Manager
Recommended Action: Authorize a Memorandum of Understanding (MOU) between Monterey Regional Waste Management District and the City regarding assistance with California Senate Bill 1383 compliance.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Appointment to Task Force on Diversity, Equity, and Inclusion **PG 48**
Reference: Bill Peake, Mayor
Recommended Action: Approve appointment of C. Barrett to the Task Force on Diversity, Equity and Inclusion ending July 1, 2025.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**
Items pulled from this section will be placed under 13. New Business

A. Planning Commission Meeting Minutes: May 11, 2023 **PG 52**
Reference: Aaron Campbell, Associate Planner
Recommended Action: Receive the minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**
For public hearings involving a quasi-judicial determination by the Council, 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 Council. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given three minutes to speak on the matter.

A. Accessory Dwelling Unit (ADU) Ordinance Amendment ***This item was continued from the Council's July 5th and 19th meetings.*** **PG 57**

Reference: Dara Sanders, Contract Planner and Anastacia Wyatt, Community Development Director

Recommended Action:

1. Request the City Attorney read the title of the ordinance;
2. Motion to waive further reading of the ordinance;
3. Introduce and hold first reading of an ordinance amending Municipal Code Section Chapter 23.80 Accessory Dwelling Units approving the proposed zoning text amendment; and
4. Direct the publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

CEQA: Statutory Exemption, CEQA Guidelines 15282(h) - Adoption Regarding Second Units in a Single or Multi Family Residential Zone

12. UNFINISHED AND ONGOING BUSINESS

A. Formal Selection of Focused General Plan Update Consultant

Reference: Anastacia Wyatt, Community Development Director

Recommended Action: **PG 86**

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,628,321 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Concept review of proposed updates to Pacific Grove Municipal Code Chapter 11.98 Reduction of Single-Use Plastics **PG 173**

Reference: Susan Myers, Beautification and Natural Resources Commission

Recommended Action: Receive presentation and provide direction to incorporate the proposed modifications to Pacific Grove Municipal Code Chapter 11.98 Reduction of Single-Use Plastics.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

13. NEW BUSINESS

14. FULL PRESENTATIONS

A. Pay A Visit to the Monterey Pine Forest, by Nicole "Nikki" Nedeff, Consulting Ecologist

Reference: Nicole "Nikki" Nedeff, Consulting Ecologist **PG 175**
Recommended Action: Receive presentation.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

15. **CLOSED SESSION**

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.

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Bill Peake, Mayor, Nick Smith, Mayor Pro Tem

MEETING DATE: August 02, 2023

SUBJECT: City Manager Pro Tempore Appointment and City Manager Recruitment

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Motion to appoint Tori Hannah as City Manager Pro Tempore, with hiring authority, effective immediately.
2. Motion to direct City Attorney to prepare an ordinance to amend the salary classification schedule to include a salary for City Manager Pro Tempore at $103.85/hour effective retroactive to July 28, 2023
3. Motion to create City Manager Recruitment Subcommittee comprised of Mayor Peake, Mayor Pro Tempore Smith and Councilmember Coletti with responsibility to assist with City Manager recruitment and evaluation, or
4. Alternatively, discuss and take other action related to this item.

DISCUSSION

The appointment of Tori Hannah fills a City Manager position vacancy as a result of the resignation of Ben Harvey as City Manager on July 27, 2023. Tori Hannah is currently Administrative Services Director/Assistant City Manager. This appointment would end when an Interim City Manager is designated. Hiring authority is needed to expedite the filling of staff vacancies currently found in several departments. The salary schedule hourly rate effective July 9, 2023 lists the City Manager position as $103.85/hour.

Recruitment of an Interim City Manager and City Manager is necessary to fill the City Manager position vacancy. An Interim City Manager provides the time needed, usually 6 months, for recruitment of and to start employment of a new City Manager.

A subcommittee will provide guidance to Council and Staff on actions to solicit and evaluate applicants. In 2022, a City Attorney Recruitment Subcommittee was formed consisting of Mayor Peake, Mayor Pro Tempore Smith and Councilmember Coletti. As a result, they are experienced with recruitment and evaluation procedures.

OPTIONS

N/A

FINANCIAL IMPACT:

There is minimal financial impact with establishing a City Manager Pro Tempore position salary and appointment of Administrative Services Director/Assistant City Manager to fill that position.

There is no financial impact for forming a subcommittee. There will be a financial impact due to recruitment depending on specific actions taken. These future actions may require budgetary approval.

GOAL ALIGNMENT: Not Applicable.

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Bill Peake, Mayor

MEETING DATE: August 02, 2023

SUBJECT: Mayor's Proclamation: Recognizing 54th Coast Artillery Regiment

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive presentation.

Attachments

Proclamation

Mayor's Proclamation
Recognizing 54th Coast Artillery Regiment

WHEREAS, the all-Black First Battalion of the 54th Coast Artillery Regiment bivouacked near the Point Pinos Lighthouse defending the central coast of California from enemy attack during World War II; and

WHEREAS, the 54th Coast Artillery Regiment was selected by the Army for its top rated teamwork and artillery expertise to be one of the first fully trained artillery teams to command the operation of the newly developed 155MM howitzer; and

WHEREAS, Activated at Camp Wallace, Texas on February 10, 1941, the 54th was comprised of Black soldiers from Texas, Kansas, and Missouri. Despite that these troops were armed and clothed with used weapons and secondhand uniforms dating to World War I, they did not complain and served with pride and distinction.

WHEREAS, the 54th Coast Artillery Regiment formed a "Twilight" baseball league to play ball in Pacific Grove and some members of the 54th settled in the area; and

WHEREAS, the service of the 54th Coast Artillery Regiment in Pacific Grove stands as a monument to the patriotism, duty, honor, and heroism of its members; and

WHEREAS, the 54th Coast Artillery Regiment was recognized on June 23, 2023, by Congressman Jimmy Panetta, 19th District Representative.

NOW THEREFORE, I, Bill Peake, by virtue of the authority vested in me as Mayor of the City of Pacific Grove do hereby recognize the soldiers of the 54th Coast Artillery Regiment for their service to our country.

Bill Peake

_____

Bill Peake, Mayor City of Pacific Grove

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Sandra Kandell, City Clerk/DEI Coordinator

MEETING DATE: August 02, 2023

SUBJECT: Minutes of the July 19, 2023 Closed Session and Regular Agenda Meetings

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve minutes.

Attachments

Draft Minutes

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING

Wednesday, July 19, 2023, 5:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Join the Zoom Meeting to participate live at:
https://us02web.zoom.us/j/692219855

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CALL TO ORDER
Mayor Peake called the meeting to order at 5:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, McDonnell, and Poduri. Absent: Councilmember Coletti.

APPROVAL OF AGENDA

Action: Upon motion by Councilmember Amelio and seconded by Mayor Pro Tem Smith, Council voted to approve the agenda.

Motion carried 6-0-1, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, McDonnell, and Poduri.
NOES:	None.
ABSENT:	Councilmember Coletti.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS
No public comment received.

1. Written Public Comments

A. Public Employment, (Government Code § 54957)
Title: City Manager Performance Evaluation

B. Pursuant to Government Code Section 54957 Public Employee Appointment
Title: Assistant City Attorney

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, July 19, 2023, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://us02web.zoom.us/j/209579290

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CALL TO ORDER
Mayor Peake called the meeting to order at 6:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

PLEDGE OF ALLEGIANCE
Councilmember McDonnell led the pledge of allegiance.

1. **APPROVAL OF AGENDA**

Action: Mayor Peake recommended Closed Session Agenda items B and 15A be heard no later than 9:00 p.m.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Coletti, Council voted to approve the agenda tabling Regular Agenda items 12B, 12D, and 12F. Requests to continue 11B and 12C by Councilmember Poduri and City Attorney Brian Pierik were accepted by the maker of the motion and the second, amending the motion thereto.

Motion carried 7-0, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	None.

2. **PRESENTATIONS**

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

A. Report on Closed Session by City Attorney

Public Employment, (Government Code § 54957)
Title: City Manager Performance Evaluation

City Attorney Brian Pierik had nothing to report.

Public Employee Appointment (Government Code § 54957)
Title: Assistant City Attorney

This item trailed the regular meeting. Reportable actions, if any, will be provided at the Council's next meeting.

B. Council and staff made general announcements.

4. **GENERAL PUBLIC COMMENT**
General Public Comment received from David Diaz, Carol Marquart, Mike Gibbs, Inge Lorentzen Daumer, Jenny MacMurdo, Lisa Ciani, Theresa Burnham, Michael Durrant, Lighthouse Theater Assistant Manager, and Joyce Steinke.

A. Written General Public Comment

CONSENT AGENDA

Action: Consent Agenda item 9A was pulled and considered immediately following the Consent Agenda.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Coletti, Council voted to approve the Consent Agenda as modified.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES: None.
ABSENT: None.

5. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

A. Minutes of the June 21, 2023 Closed Session and Regular Agenda Meetings
Action: Approved minutes as corrected via Errata.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

7. **ORDINANCES**

8. **REPORTS – INFORMATION ONLY**

A. June 2023 Check Register
Action: Received the check register.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. June 2023 Core Revenue Report.
Action: Received the report.

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CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

C. City Council Goals Quarterly Update
Action: Received the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

D. Monterey One Water Board of Directors Mid-Year Highlights 2023
Action: Received highlights.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

E. Monterey-Salinas Transit Minutes: June 12, 2023
Action: Received minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**

A. Amended Agreement with HdL Companies for Sales Tax, Business Licenses, and TOT Collection and Compliance Services ***This item was pulled and considered immediately following the Consent Agenda.***
Reference: Lori Frati, Management Analyst
Recommended Action: Authorize the Mayor to amend the existing agreement with HdL companies for a 1-year extension to June 30, 2024 (renewable for an additional 1 year thereafter) in the amount not to exceed $60,000 for the following: Sales, Use and Transactions Tax Auditing and Information Services; Business License Tax Operations and Compliance Services; and Transient Occupancy Tax Operations Management Services.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

A. Architectural Review Board Minutes: June 13, 2023
Action: Received minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Library Advisory Board Minutes: May 8, 2023
Action: Received minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

9.A. Amended Agreement with HdL Companies for Sales Tax, Business Licenses, and TOT Collection and Compliance Services ***This item was pulled from the Consent Agenda.*** Public comment received from Inge Lorentzen Daumer and Mike Gibbs.

Action: Upon motion by Councilmember Coletti and seconded by Councilmember Amelio, the Council voted to authorize the Mayor to amend the existing agreement with HdL companies for a 1-year extension to June 30, 2024 (renewable for an additional 1 year thereafter) in the

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amount not to exceed $60,000 for the following: Sales, Use and Transactions Tax Auditing and Information Services; Business License Tax Operations and Compliance Services; and Transient Occupancy Tax Operations Management Services.

Motion carried 7-0, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	None.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

A. First reading amending ordinance 23-008, City Salary Classification Schedule (POA)
No public comment received.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Amelio, Council voted to

1. Request the City Attorney read the title of the ordinance;
2. Motion to waive further reading of the ordinance;
3. Introduce and hold a first reading of an ordinance to amend the salary classification schedule to modify the salary range for Police Officer and Police Sergeant, approve the amendment;
4. Correct the enacting clause pursuant to Article 15; and
5. Direct that a summary of a proposed ordinance be published as approved by the City Attorney.

Motion carried 7-0, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	None.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Accessory Dwelling Unit (ADU) Ordinance Amendment ***This item was continued from the Council's July 5, 2023 meeting. During the Approval of the Agenda, this item was continued to the Council's August 2, 2023 meeting.***
Reference: Dara Sanders, Contract Planner and Anastacia Wyatt, Community Development Director
Recommended Action:

1. Request the City Attorney read the title of the ordinance;
2. Motion to waive further reading of the ordinance;
3. Introduce and hold first reading of an ordinance amending Municipal Code

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Section Chapter 23.80 Accessory Dwelling Units approving the proposed zoning text amendment; and

4. Direct the publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

CEQA: Statutory Exemption, CEQA Guidelines 15282(h) - Adoption Regarding Second Units in a Single or Multi Family Residential Zone

12. **UNFINISHED AND ONGOING BUSINESS**

A. Requests for Proposals for a Coastal Wildlife Protection Program ***This item was continued from the Council's July 5, 2023 meeting.***

Public comment received from Lisa Ciani, Carmelita Garcia, Thom Akeman, Inge Lorentzen Daumer, and Kim Akeman.

Action: Upon motion by Councilmember Coletti and seconded by Councilmember Beck, Council voted to direct staff to issue the LCP RFP with the cooperation of a Council subcommittee comprising of Councilmembers Coletti and McDonnell working with staff on the RFP and review of the proposals; and recommended that the aforementioned Council subcommittee work with the City Attorney to evaluate the current code base and ordinances for wildlife policies and enforcement as they exist, develop that as a single document, and return to Council for further review.

Motion carried 7-0, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	None.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Small Business Recovery Action Plan ***This item was continued from the Council's July 5, 2023 meeting. During the Approval of the Agenda, this item was tabled.***

Reference: Ben Harvey, City Manager

Recommended Action:

1. Receive the attached recommended implementation plan and provide staff with direction for action items of interest.
2. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

C. Energy Savings Assessment & Resiliency ***This item was continued from the Council's July 5, 2023 meeting. During the Approval of the Agenda, this item was continued to the Council's August 2, 2023 meeting.***

Reference: Chaps Poduri, Councilmember

Recommended Action:

1. Adopt A Resolution Authorizing the City Manager to Direct Engie Services U.S. to Perform an Integrated Energy Savings Assessment of City-Owned Building for Potential Solar Photovoltaic System Implementation, and Grant Fund Sourcing.

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2. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

D. City Public Information and Community Engagement through Social Media ***This item was continued from the Council's July 5, 2023 meeting. During the Approval of the Agenda, this item was tabled.***

Reference: Ben Harvey, City Manager

Recommended Action:

1. Receive the report and provided direction to City staff regarding the City Public Information and Community Engagement through Social Media effort.
2. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

E. League of California Cities (LoCC) Annual Conference Voting Delegate and Alternate(s) ***This item was continued from the Council's July 5, 2023 meeting.***

No public comment received.

Action: Upon motion by Councilmember Coletti and seconded by Councilmember Beck, Council discussed and voted to designate and adopt by resolution Mayor Pro Tem Smith as voting delegate and Councilmember Amelio as the alternate to represent the City on policy matters at the League of California Cities (LoCC) Annual Conference on September 20-22.

Motion carried 7-0, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	None.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

F. Concept Review: Housing Proposal, APN 006-284-015-000 (City Parking lot located on Fountain Avenue between Lighthouse Avenue and Laurel Avenue) ***During the Approval of the Agenda, this item was tabled.***

Reference: Anastacia Wyatt, Community Development Director and Ben Harvey, City Manager

Recommended Action:

1. Determine if the City Council would like to initiate negotiations for an affordable housing concept proposal on APN 006-284-015-000 (City Parking lot located on Fountain Avenue between Lighthouse Avenue and Laurel Avenue).
2. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

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13. **NEW BUSINESS**

A. Pacific Grove Public Transportation - Past, Present, and Future
Public comments received from Inge Lorentzen Daumer, Mike Gibbs, Lisa Ciani, Kim Akeman, and Sally Moore.

Action: Council received the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**
No public comment received.

A. Conference with Labor Negotiators (Government Code Section 54957.6)
City Negotiators: Ben Harvey, City Manager, Tori Hannah, Administrative Services Director, Leticia Livian, Human Resources Director, and Katy Suttorp, City Attorney's Office
Employees: Management Employees Association and General Employees Association

ADJOURNMENT
Council adjourned the regular meeting at 8:00 p.m. to the closed session to hear remaining agenda items B and 15A. Council adjourned the closed session meeting at 9:15 p.m. Reportable actions, if any, will be provided at the Council's next meeting.

Respectfully Submitted,

Sandra Kandell
City Clerk

Approved by Mayor: _____Date_____

Attest by City Manager: _____Date_____

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CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Sandra Kandell, City Clerk/DEI Coordinator

MEETING DATE: August 02, 2023

SUBJECT: Minutes of the July 26, 2023 Special Closed Session Meeting

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve minutes.

Attachments

Draft Minutes 7-26-23

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

NOTICE OF SPECIAL MEETING

CITY COUNCIL

SPECIAL CLOSED SESSION MEETING

Wednesday, July 26, 2023, 5:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

APPEARING REMOTELY:
Council Member Debby Beck
100 Nohea Kai Drive, Room 113
Lahaina, HI 96761

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Join the Zoom Meeting to participate live at:
https://us02web.zoom.us/j/692219855

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CALL TO ORDER
Mayor Peake called the meeting to order at 5:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Coletti, and McDonnell. Appearing remotely: Councilmember Beck. Absent: Councilmember Poduri.

APPROVAL OF AGENDA

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Amelio, Council voted to approve the agenda.

Motion carried 6-0-1, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, and McDonnell.
NOES:	None.
ABSENT:	Councilmember Poduri.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS
No public comment received.

1. Written Public Comment

A. Closed Session Pursuant to Government Code Section 54957 Public Employee Release

Announcement: After the closed session, the City Council came into open session and City Attorney Brian Pierik announced that the City Council had approved in closed session a separation agreement and release of all claims between the City of Pacific Grove and City Manager Ben Harvey. The Council vote on the approval of the Agreement was 6 in favor and one not present

(Chaps Poduri). The effective date for the resignation of Ben Harvey is close of business Thursday, July 27, 2023. The Agreement includes a release and waiver of all potential claims by Ben Harvey and in exchange Ben Harvey will receive 24 months salary with 6 months cash health benefits totaling $437.999.90 paid in three (3) installments. The remaining terms of the separation and release are included in the Agreement which will be available no later than Friday, July 28, 2023.

ADJOURNMENT
Council adjourned the special closed session meeting at 6:14 p.m.

Respectfully Submitted,

Sandra Kandell
City Clerk

Approved by Mayor: _____ Date_____

Attest by City Manager: _____ Date_____

DRAFT

CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Leticia Livian, Human Resources Director

MEETING DATE: August 02, 2023

SUBJECT: Second reading amending ordinance 23-008, City Salary Classification Schedule (POA)

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Hold second reading of an ordinance to amend the salary classification schedule to modify the salary range for Police Officer and Police Sergeant and approve the amendment.

DISCUSSION

There were no substantive changes to the ordinance between the first and second reading. The City Clerk caused a summary of the ordinance to be published on July 27, 2023.

On July 5, 2023, City Council approved an ordinance to amend the salary schedule for POA classifications. An administrative error has been identified on the ordinance (and corresponding agenda report). A correction to the ordinance must be amended by ordinance.

The administrative error incorrectly listed the hourly pay rate for police officer at the 7th step of the salary range as $60.02, the correct amount is $60.62. Below is the correct salary range for police officer.

City Of Pacific Grove
Salary Schedule - Police Officer Hourly Rate

Hourly Rate Listed on Ordinance #23-008	**Police Officer**	**46.33**	**48.65**	**51.08**	**53.63**	**56.32**	**58.43**	**60.02**
Amended Hourly Rate	**Police Officer**	**46.33**	**48.65**	**51.08**	**53.63**	**56.32**	**58.43**	**60.62**

OPTIONS

Provide alternative direction to staff.

FINANCIAL IMPACT:

N/A - Administrative correction

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Proposed Ordinance

ORDINANCE NO. 23-____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING ORDINANCE NUMBER 23-008, CLASSIFICATION SCHEDULE FOR POLICE SERGEANT AND POLICE OFFICER

Findings

1. On June 21, 2023, a first reading on Ordinance 23-008 ("Ordinance") amending the salary classification schedule for police officer and police sergeant was held and the Ordinance was introduced; and

2. On July 5, 2023, a second reading on the Ordinance amending the salary classification schedule for police officer and police sergeant was held and the Ordinance was introduced; and

3. An administrative error was identified after the second reading of the Ordinance and correction to the administrative error on an ordinance must be corrected by ordinance; and

4. The administrative error is that Ordinance #23-008 incorrectly listed the hourly pay rate for police officer at step 7G of the salary range as $60.02, the correct amount is $60.62; and

5. The corrected wage of $60.62 will be retroactive to 7/9/2023; and

6. Amendment to the classification plan must be adopted by the City Council pursuant to Charter Article 25 and Pacific Grove Municipal Code (PGMC) Section 4.20.280; and

7. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. Enactment of this ordinance to amend the Ordinance does not constitute a "project" as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment pursuant Section 15378.

Ordinance

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing findings of the City Council are incorporated into this Ordinance as if set forth in full.

SECTION 2. Upon review, it has been determined the hourly pay rate for police officer at step 7G of the salary range shall be listed as $60.62 and shall be revised as illustrated below.

City Of Pacific Grove
Amended Salary Schedule – Police Officer

Eff.	Classification	Step 1A	Step 2B	Step 3C	Step 4D	Step 5E	Step 6F	Step 7G
July 9, 2023	516-001 Police Officer	46.33	48.65	51.08	53.63	56.32	58.43	60.62

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. In accord with Article 15 of the City Charter, this ordinance shall become effective July 6, 2023.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this_____day of_____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
BILL PEAKE, Mayor

ATTEST:

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
BRIAN PIERIK, City Attorney

CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: George Fuerst, Environmental Program Manager

MEETING DATE: August 02, 2023

SUBJECT: Monterey Regional Waste Management District MOU

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Authorize a Memorandum of Understanding (MOU) between Monterey Regional Waste Management District and the City regarding assistance with California Senate Bill 1383 compliance.

DISCUSSION

The Monterey Regional Waste Management District's (District) seven (7) partner agencies who utilize GreenWaste Recovery (GWR), the County of Monterey and the City of Monterey have been working together since 2020 to implement Senate Bill 1383 "Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions".

This coordination is facilitated by the District's Technical Advisory Committee (TAC) comprised of staff from each Member Agency, the three haulers in the District's service area, and MRWMD. The Member Agencies determined that the District has the expertise and resources necessary to implement shared activities on the Member Agencies' behalf and requested that the District incur costs to provide these activities. The Member Agencies have agreed to reimburse the District for proportionate shares of certain designated annual costs incurred by the District for these activities under a Memorandum of Understanding (MOU) between the Monterey Regional Waste Management District and its Member Agencies Regarding Assistance with Compliance with California Senate Bill 1383.

In October 2021, and again in June 2022, City Council approved a MOU which provides the framework for how this group will move forward regarding workload division and cost allocation. The District took the lead on many of the actions needed to implement SB 1383 in coordination with the District's TAC.

The approved MOU currently contains Exhibits A, B, C, & D detailing annual implementation costs for each fiscal year. Exhibits A & B have been amended for FY 23/24, Exhibits C & D are unchanged.

- Exhibit A - Detailed Activities and Costs: Contains the scope of work, and associated costs related to general SB 1383 activities (enacted June 2021, updated annually).
- Exhibit B - Member Agencies' Annual Proportionate Shares and Costs: Allocation of such costs to the Member Agencies (enacted June 2021, updated annually).
- Exhibit C - Member Agencies' Estimated Allocation of CalRecycle Local Assistance Grant Program Funding: Details proposed programs funded by the CalRecycle Local Assistance Grant

Program (enacted February 2022, to be updated if future funding becomes available).

- Exhibit D – Member Agencies' Estimated Procurement Requirements of Organic Material: The addition of Exhibit D will detail the organic materials (compost or mulch) procurement requirements and costs for each Member Agency (new, enacted with this approval, to be updated in 2026).

Authorization of this MOU will update the above exhibits A and B to reflect costs for the FY23/24 fiscal year. The MOU contains no other substantial changes from the version approved by this body in October 2021 and June 2022.

OPTIONS

Do not approve MOU. Note: Failure to approve the MOU will result in an accumulation of fees to the City of Pacific Grove from the Monterey Regional Waste Management District, as well as the potential for non-compliance with SB1383.

FINANCIAL IMPACT:

The total FY23/24 costs incurred by the City as a result of this MOU are $34,080, funded by fees collected by the City as part of the approved GreenWaste Hauler Franchise agreement.

FOCUSED PRIORITY AREA: Environmental Stewardship

Attachments

MRWMD MOU FY23/24

MEMORANDUM OF UNDERSTANDING

BETWEEN THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT AND ITS MEMBER AGENCIES REGARDING ASSISTANCE WITH COMPLIANCE WITH CALIFORNIA SENATE BILL 1383

This Memorandum of Understanding ("MOU") is made and entered into as of the date of the signatures set forth below by and between the MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT ("District", "MRWMD"), a California Garbage and Refuse Disposal District, and its member agencies including the cities of CARMEL-BY-THE-SEA, DEL REY OAKS, MARINA, MONTEREY, PACIFIC GROVE, SAND CITY, and SEASIDE; THE PEBBLE BEACH COMMUNITY SERVICES DISTRICT; and THE COUNTY OF MONTEREY ("Member Agencies"). Collectively these entities shall be known herein as "Parties" or individually as a "Party."

Recitals

A. The State of California has passed legislation, known as Senate Bill 1383, California's Short-Lived Climate Pollutants regulation. The regulation will have significant impact on each Member Agency, with the goal of reducing organic material being landfilled by 75% by 2025, compared to a 2014 basis. The legislation mandates that Member Agencies undertake certain activities around the handling of organic waste materials collected within their jurisdictions. The regulation also requires 20% recovery of edible food by 2025 to direct it to a beneficial use and thus prevent it from entering the waste stream. Regulations take effect, and local program implementation will begin, on January 1, 2022.

B. The Member Agencies have determined that it is in their best interest to coordinate their activities related to this legislation. This coordination is being facilitated by the District's Technical Advisory Committee (TAC) comprised of staff from each Member Agency, the three Haulers in the District service area (Haulers), Salinas Valley Recycles (SVR) and MRWMD.

C. The Member Agencies have further determined that the District has the expertise and resources necessary to implement some of these activities on the Member Agencies' behalf and have now requested that the District incur costs to provide these activities.

D. The Member Agencies have agreed to reimburse the District for proportionate shares of certain designated annual costs incurred by the District for these activities.

E. The form and content of this MOU have been presented to the TAC, and the TAC has recommended it for approval by the Parties

NOW THEREFORE, in consideration of the mutual benefits to be derived by the District and the Member Agencies, and of the promises contained in this MOU, the Parties agree as

follows:

Section 1. Recitals: The recitals set forth above are incorporated into this MOU.

Section 2. Purpose: The purpose of this MOU is to provide a structure for the Member Agencies to reimburse the District for SB 1383 related activities it performs on behalf of the Member Agencies.

Section 3. Voluntary: This MOU is voluntarily entered into by the Parties for the purpose of facilitating the implementation of SB 1383.

Section 4. Term: This MOU shall become effective on the last day of its execution by a Party and shall remain in effect until terminated by the Parties.

Section 5. Scope of Work, Costs & Cost Sharing: The scope of work, and associated costs, are set out in Exhibit A, entitled Detailed Activities and Costs, attached hereto and incorporated herein. Allocation of such costs to the Member Agencies is set out in Exhibit B, entitled Member Agencies' Annual Proportionate Shares and Costs, attached hereto and incorporated herein. Exhibit C outlines estimated individual Member Agencies' allocations related to the Department of Resources Recycling and Recovery (CalRecycle) SB 1383 Local Assistance Grant Program (OWR1: 2021-22), attached hereto and incorporated herein. Exhibit D defines the estimated annual procurement requirements of organic material and estimated cost per ton of compost for each Member Agency, attached hereto and incorporated herein.

No later than March 1 of each year, and at such other times as directed by the Parties, the TAC shall meet to consider and, if deemed necessary, modify Exhibits A, B, C, and/or D subject to direction from the governing bodies of each Member Agency to its TAC representative.

Section 6. The District Agrees:

(a) District staff will manage activities as identified in Exhibit A, C, and D which activities include contracting with third party vendors when reasonably necessary and paying those vendors for contracted costs.

(b) Two times per year, on dates to be determined by the TAC, District will invoice Member Agencies for each Member Agency's proportionate share of costs as shown in Exhibit B with each invoice to be fifty percent (50%) of the Member Agency's share of costs.

(c) Upon award of CalRecycle SB 1383 Local Assistance Grant Program funds, the District will invoice Member Agencies for their full allocation of grant funds as shown in Exhibit C. Four times during the grant term, aligned with dates identified by CalRecycle grant Terms & Conditions, the District shall report to Member Agencies a summary of actual grant expenditures and progress toward grant tasks to date.

(d) District will maintain an accounting of activities and expenses and provide reconciliation of payments annually. Material differences between estimated costs and actual incurred costs will result in either: 1) an adjustment made to the final annual payment for each Member Agency, or 2) such cost difference shall be incorporated into the subsequent year cost allocation.

(e) In year one only, in recognition of expected continuation of improved recycling revenues for the District from recyclable material sales, the District will off-set $140,000 of the costs identified in Exhibit A. This off-set is reflected in the cost allocations set out in Exhibit B for FY 2021-22.

Section 7. The Member Agencies Agree:

(a) To reimburse the District for all expenses incurred by the District under this MOU in accordance with each Member Agency's proportionate share as shown on Exhibit B, C, and D.

(b) To make a full-faith effort to cooperate with one another and with the District to achieve the purposes of this MOU by providing information, reviewing information in a timely manner, and informing their respective administration and governing bodies.

Section 8. Termination. Any Party may terminate its participation in this MOU upon giving written notice to the District no later than April 1 of any calendar year during the term of this MOU. Within ten days following a Party's termination date, such party shall pay District all charges then due and payable and shall pay when determined any additional charges that shall later come due under the MOU, subject to the limits set out in Exhibits A, B, C, and D.

Section 9. General Provisions.

(a) This MOU is binding and for the benefit of the respective successors, heirs, and assigns of each Party and the District; provided however, no Party may assign its respective rights or obligations under this MOU without the prior written consent of the District.

(b) This MOU is governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California.

(c) If any provision of this MOU is determined by any court to be invalid, illegal, or unenforceable to any extent, then the remainder of this MOU will not be affected, and this MOU will be construed as if the invalid, illegal, or unenforceable provision had never been contained in this MOU.

(d) Waiver by the District or any Party to this MOU of any term, condition, or covenant of this MOU will not constitute a waiver of any other term, condition, or covenant.

Waiver by the District or any Party of any breach of the provisions of this MOU will not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this MOU.

(e) This MOU may be executed in any number of counterparts, each of which is an original but all of which taken together will constitute one and the same instrument, provided, however, that such counterparts have been delivered to all parties to this MOU.

(f) All parties acknowledge they have been represented, or have had the opportunity to be represented, by counsel in the preparation and negotiation of this MOU. Accordingly, this MOU will be construed according to its fair language. Any ambiguities will be resolved in a collaborative manner by the District and the Parties and must be rectified by amending this MOU.

IN WITNESS WHEREOF, the District and the Parties have caused this MOU to be executed by their duly authorized representatives as of the date of their respective signatures.

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF CARMEL-BY-THE-SEA

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF DEL REY OAKS

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF MARINA

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF MONTEREY

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF PACIFIC GROVE

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

SAND CITY

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

CITY OF SEASIDE

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

PEBBLE BEACH COMMUNITY SERVICES DISTRICT

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

COUNTY OF MONTEREY

By: _____ DATE: _____

APPROVED AS TO FORM:

_____

EXHIBIT A

DETAILED ACTIVITIES & COSTS
FY 2023-2024

Scope of Work

The activities related to the implementation of SB 1383 may include contracting and policy development; public education; materials purchasing and distribution; reporting; contamination monitoring; edible food waste recovery; enforcement; procurement; organics processing; rate setting; cost monitoring; and any other related activities the Parties choose to address.

The District will take the lead producing public education campaigns in concert with the already-provided Hauler and/or Member Agency resources. The Member Agencies will be responsible for production and mailing fees associated with outreach. The District will also contract with a vendor to administer contamination monitoring in the form of curbside lid flipping The District will also provide CalRecycle reporting services to the Member Agencies. In addition, funds will be allocated to food recovery organizations for procurement of refrigerated holding facilities or transport vehicles to support edible food recovery efforts.

Costs

SB 1383 Fee Category	Detail	FY 23/24 Cost	Notes
HF&H General Support & TAC meetings	Task #5 (SB 1383 general support) & task #6 (monthly TAC meetings) of HF&H CY 2023 proposal	$ 20,500	
Edible Food Recovery Capacity Building	$40,000 for grant allocations. Grant administration by Blue Strike Environmental will be billed with unused FY 23/23 budget.	$ 40,000	Joint grant or application process w/ SVR to determine need. SVR allocating $60k. ReGen allocating $40k as County is omitted from this line item.
Edible Food Recovery Program Administration	Assessment Updates - Living Document Generation Estimate Update-Using ReGen WCS FRO Capacity Survey - Annual Update Conference Presentations (CRRA) and Other Support TBD EFR E&O - Cycle 2 - Tier 1&2 Follow-up target groups TBD Organics Collections E&O - Target Groups TBD School Food Waste Reductions - Targeted Groups TBD Total: $70k, split 50/50 with Salinas Valley Recycles	$ 24,000	ReGen member agency portion only. Split 50/50 with SVR. School outreach not included in cost. Omits County of Monterey
Edible Food Generator Inspections for Tier 1 & 2	County of Monterey provides inspections at rate of $201/hour. One hour per business which includes one follow-up, if needed.	$ 22,000	Omits County of Monterey
Public Education	Design/creation of public education materials. Does not include production or distribution of materials created.	$ 30,000	
Contamination Monitoring (Lid Flipping)	RFP to determine vendor	$ 13,431	Omits County of Monterey due to WM Smart Truck
Recyclist Fees	Cloud-based recordkeeping and reporting system shared by haulers, jurisdictions and processor.	$ 12,393	Omits County & City of Monterey who subscribe separately
ReGen Monterey Staff Time	Coordination and Hosting of Monthly TAC Meetings Hosting and/or participating in TAC Subcommittee Meetings SB 1383 Program Coordination and Development of Public Education Materials CalRecycle Reporting Outreach at Community Events Coordination with Sustainability Groups	$ 40,000	
		$ 202,324	
Reduction from ReGen recycling revenues		$ (65,000)	
Total		**$ 137,324**	

EXHIBIT A

DETAILED ACTIVITIES & COSTS
FY 2023-2024 (CONTINUED)

HF&H Franchise Management Fees

Task #	Detail	FY 2024	
1	Review Contractor's Quarterly Reports	$	12,500.00
2	Review Contractor's Annual Report	$	2,500
3	Review Franchise Fee Payments	$	2,500
4	Review Contractor's Annual Rate Adjustments	$	50,000
5	Develop Contract Compliance Checklist	$	10,000
6	Monitor Contract Compliance	$	24,000
	Total	**$**	**101,500**

HF&H fees apply to GreenWaste Recovery member jurisdictions only.

EXHIBIT B

MEMBER AGENCIES' ANNUAL PROPORTIONATE SHARES & COSTS*
FY 2023-2024

District Shared Costs By Jurisdiction				
	Population			
	#	%	Per Agency Cost/Year	With Minimums
Carmel	3,830	2.4%	$ 9,020	$ 9,486
DRO	1,525	1.0%	$ 3,591	$ 9,000
Marina	21,981	13.7%	$ 51,765	$ 48,261
PG	15,522	9.7%	$ 36,554	$ 34,080
PBCSD	4,531	2.8%	$ 10,671	$ 10,405
Sand City	310	0.2%	$ 730	$ 9,000
Seaside	33,956	21.2%	$ 79,966	$ 74,553
Monterey City	28,352	17.7%	$ 31,526	$ 29,038
County	50,128	31.3%	$ 15,000	$ 15,000
TOTAL	**160,135**		**$ 238,824**	**$ 238,824**

*Member Agencies' proportionate costs subject to adjustment annually in accordance with any change in scope and total costs. Costs "with minimums" will be utilized.

EXHIBIT C

MEMBER AGENCIES' ESTIMATED ALLOCATION OF CALRECYCLE LOCAL ASSISTANCE GRANT PROGRAM FUNDING (OWR1: 2021-22)**

The Member Agencies of Carmel, Del Rey Oaks, Marina, Monterey, Sand City, Seaside, Pacific Grove, and the Pebble Beach Community Services District (PBCSD) join the Local Assistance Grant Program as a regional collaborative project for the implementation of regulation requirements associated with SB 1383, in coordination with other jurisdictions of the Monterey County region to maximize project impact and cost-effectiveness across the countywide area. This regional grant-funded project will be coordinated through the two local waste management governmental agencies within Monterey County, Monterey Regional Waste Management (MRWMD), and Salinas Valley Solid Waste Authority (SVSWA).

The Member Agencies, along with each of the MRWMD and SVSWA member agencies are applying individually to this grant program using a unified regional project design, budget and implementation approach. All participating jurisdictions' individual grant funding will be pooled together and expended in a cooperative manner by their agencies' respective waste districts, MRWMD and SVSWA. The County of Monterey is applying separately and will manage its budget and project implementation independently, in coordination with broader regional planning efforts.

Based on current regional needs and findings to date related to SB 1383 in Monterey County, the following four major components will comprise the principal focus areas of program expenditures under the proposed regional project approach:

1) Grant Management, Tracking & Reporting
2) Agency Procurement Support
3) Edible Food Recovery Implementation and Capacity Building
4) Organics & Edible Food Recovery Education, Outreach and Technical Assistance

Each element will be informed by regional coordination through the established MRWMD and SVSWA Technical Advisory Committee forums, Capacity Planning Assessments and related studies completed or in process throughout the region, and new data and information obtained through program implementation trials, stakeholder feedback and best practices as identified. All expenditures will be incurred jointly, facilitated through each respective waste agency, and tracked and reported by each jurisdiction, based on the percentage of grant funds received by each agency compared to the full funding received collectively by all participating member agencies. CalRecycle, based on per capita calculations, using the Department of Finance's January 2021 population statistics, estimates jurisdictions' proportionate grant allocations. A summary of individual and collective agency grant allocations is presented below as **Table 1**.

EXHIBIT C
(Continued)

MEMBER AGENCIES' ESTIMATED ALLOCATION OF CALRECYCLE LOCAL ASSISTANCE GRANT PROGRAM FUNDING (OWR1: 2021-22)**

Table 1. Thirteen Agency Collaborative Approach Budget Summary

Agencies	Estimated Funding	% of District Subtotal	% of Region Total	Waste District
Carmel-by-the-Sea	$20,000	9%	4%	MRWMD
Del Rey Oaks	$20,000	9%	4%	MRWMD
Marina	$29,771	14%	6%	MRWMD
Monterey	$38,247	18%	7%	MRWMD
Pacific Grove	$21,398	10%	4%	MRWMD
Sand City	$20,000	9%	4%	MRWMD
Seaside	$43,151	20%	8%	MRWMD
Pebble Beach Community Services District	$20,000	9%	4%	MRWMD
Subtotal (MRWMD):	**$212,566**	**100%**	**41%**	
Gonzales	$20,000	6%	4%	SVSWA
Greenfield	$25,157	8%	5%	SVSWA
King City	$20,665	7%	4%	SVSWA
Salinas	$211,143	68%	40%	SVSWA
Soledad	$33,095	11%	6%	SVSWA
Subtotal (SVSWA):	**$310,060**	**100%**	**59%**	
TOTAL (13 Agency Regional Approach):	**$522,626**		**100%**	

** Working in coordination with the designated CalRecycle grant manager or other agency representatives as appropriate, the region may adjust these proposed expenditure areas,

amounts, or priorities, consistent with grant expenditure eligibility requirements, as needed during the course of the grant term based on the needs of the region.

EXHIBIT D

MEMBER AGENCIES' ESTIMATED PROCURMENT REQUIRMENTS
OF ORGANIC MATERIAL

The list below indicates the annual recovered organic waste product procurement targets for each jurisdiction (city, county, or city and county) that will be in effect from January 1, 2022, through December 31, 2026 per CalRecycle.

Member Jurisdiction	Population (1/1/21 estimate)	% of Population	Annual Procurement Target (Tons of Organic Waste)	Tons of Compost (.58)	Cost /Ton Compost	Cost of Compost
Carmel-by-the-Sea	4,023	1%	322	187	$ 28.00	$ 5,229.28
Del Rey Oaks	1,670	0%	134	78	$ 28.00	$ 2,176.16
Marina	21,920	7%	1,754	1,017	$ 28.00	$ 28,484.96
Monterey	28,382	8%	2,271	1,317	$ 28.00	$ 36,881.04
Pacific Grove	15,536	5%	1,243	721	$ 28.00	$ 20,186.32
Sand City	385	0%	31	18	$ 28.00	$ 503.44
Seaside	32,121	10%	2,570	1,491	$ 28.00	$ 41,736.80
Pebble Beach CSD	4531	1%	362	210	$ 28.00	$ 5,878.88
Unincorporated County*						$ -
Total MRWMD	**108,568**	**32%**	**8,687**	**5,038**		**$ 141,076.88**

*Unincorporated County not participating in procurement portion of MOU
All product quoted as unbagged F.O.B MRWMD site.
Transportation costs are not included.

CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Bill Peake, Mayor

MEETING DATE: August 02, 2023

SUBJECT: Appointment to Task Force on Diversity, Equity, and Inclusion

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve appointment of C. Barrett to the Task Force on Diversity, Equity and Inclusion ending July 1, 2025.

DISCUSSION

The appointment of C. Barrett fills a vacancy on the Task Force on Diversity, Equity, and Inclusion.

City committees play a vital role in city government and provide opportunities for residents to become engaged in civic activities and work to improve local governance. We are very fortunate to have many highly qualified and talented residents willing to serve on City committees.

The term for Task Force on Diversity, Equity and Inclusion members is 2 years as this is a non-Charter committee.

Mayoral appointments to City committees must be confirmed by Council (Charter Article 26). Further regulations and policy regarding appointments can be found in PGMC Chapter 3.02 and Policy 000-5.

OPTIONS

N/A

FINANCIAL IMPACT:

There is no fiscal impact related to this appointment.

GOAL ALIGNMENT: Not Applicable.

Attachments

Redacted Application

CITY OF PACIFIC GROVE

www.cityofpacificgrove.org

Application for Appointment to a Public Board, Commission, or Committee

Persons interested in being appointed to serve on a board, commission, or committee of the City of Pacific Grove are invited to complete the following application.

Name:
Coral Barrett

Street Address:
REDACTED

City:	State:	ZIP Code:
Pacific Grove	CA	93950

Residence Telephone Number:	Work Telephone Number:	E-Mail Address:
REDACTED	REDACTED	REDACTED

Name of Board, Commission, or Committee on which you would like to serve:
DEI Task Force

Brief Description of Background and Qualifications (Additional Information May Be Attached on Separate Sheets and Attachment of Resume is Desirable):

See attached

I hereby certify that I am a registered voter of the City of Pacific Grove (not required for EDC appointees.

Signature of Applicant:	Date:
	06/23/2023

FOR CITY USE ONLY Appointed to:

Appointment: _____ **Date of**
Expiration: _____ **Date of**
Reappointment: _____ **End of Term:** _____ **Date**
Certification of Appreciation Awarded: _____

Coral Rose Sunshine Barrett

REDACTED

EDUCATION

Masters in Public Administration in Social Change at Monterey Institute of International Studies
Attending Part-Time; expected graduation 2025

Bachelor of Arts in Psychology at Lewis & Clark College
Relevant Coursework: Psychiatric Health, Abnormal Psychology, Drugs & Behavior, Adolescent & Adult Development, Immigration and Asylum Law, Human Computer Interaction, Law and Literature, Argument & Social Justice, Topics: Law & Social Justice.

KEY COMPETENCIES

Research and analysis	Writing and editing	Cultural competency
Event coordination and planning	Leadership	Creative Problem Solving
Advocacy and support	Project management	Organization

PROFESSIONAL EXPERIENCE

Co-founder & Chief Innovation Officer
JMC Elevated Coaching

- Prioritize DEI for women and gender minorities in leadership.
- Research emerging technologies and trends for marginalized communities.
- Develop culturally responsive, trauma-informed curriculum aligned with social and environmental responsibility.
- Establish partnerships with DEI-focused organizations and individuals to address systemic barriers.
- Regularly evaluate program effectiveness with a focus on inclusivity.

Law Clerk
Vanderwall Immigration

- Write and organize the application and evidence for a I-601A waiver
- In-depth research on laws and country conditions in a variety of different countries in Latin America and Africa.
- Fully write and prepare the packet; mail it into USCIS
- Communicate in English & Spanish with clients

Transformative Justice Coordinator
Lewis & Clark College

- Plan and coordinate event(s), workshops, and/or other forms of engagement around transformative and restorative justice, alongside the Associate Dean of Equity & Inclusion and/or the Program Manager for the Office of Equity & Inclusion at Lewis & Clark College
- Head of social media and weekly newsletters for Prison Abolition Club and for the Transformative Justice Initiatives
- Crafted Zines and other media related to education on non-punitive forms of justice. Distributed Zines to the greater Portland Area
- Serve as a confidential advocate within the Peer Support Network and prioritize the needs of students seeking support in reporting a bias, harassment, and/or hate-related incident.
- Continue education on punitive justice systems and restorative justice alternatives as well as anti-racism.

Case Intake Intern
Innocence Project NYC

- Review and analyze correspondence and documents related to criminal cases to determine whether DNA testing could prove the innocence of an individual convicted of a crime
- Produce a written evaluation for each case including analysis of the facts, history of the case, evidence collected and possibilities for testing to prove innocence
- Attend clinics on civil rights law, policy advocacy, communications/media, etc. at Cardozo Law School
- Work independently and collectively on projects and cases

Behavior Specialist
CSD Autism Services

- Provide one-on-one, person-centered therapy and social skills training to neurodivergent kids and teens
- Advocacy for client's needs and wants including helping to make spaces accessible to them and teaching them how to advocate for themselves
- Accurately and objectively document behaviors and other medical services through session notes and treatment data.
- Maintain client records, files, confidentiality, and trust.
- Experience doing Telehealth therapy sessions with clients during Covid-19.

Associate Story Editor
MCAET TV

- Conducted historical research online, in library archives, and through interviews to form the backbone of a documentary about the modern and historical bohemian art scene in California
- Interviewed artists, writers, and photographers in Monterey County about their journey with the arts.
- Transcribed and timestamped interviews; ordered and pieced together footage.
- Worked alongside a camera crew in the studio to edit the videos into segments to air on the local TV station and on the Monterey County Office of Education website.

Assistant to Operations Manager
AIM Youth Mental Health

- Raised awareness and funding for mental health research by coordinating events.
- Traveled to schools in the county teaching them about severe and persistent mental illness.
- Worked mental health yearly galas by mailing invitations, planning meals, serving food, greeting guests, speaking about the organization to donors, etc.
- Volunteered for one year consistently, then was offered a paid position by the founder.

Co-Founder of a Human Trafficking Resource Center
YWCA

- Co-creator and project manager of a resource center for human trafficking victims.
- Collected donations, raised money, brought community involvement, and planned the opening of a Second Chance House for human trafficking victims in Salinas, California (house donated by YWCA).
- Planned the physical elements–painting and organizing–of the resource center.
- Attended intensive conferences on human trafficking and trauma-informed care alongside lawyers, law enforcement, and social workers.
- Spoke about providing rehabilitation and second chances to victims of human trafficking at an event at the LA forum called We Day.

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Campbell, Associate Planner

MEETING DATE: August 02, 2023

SUBJECT: Planning Commission Meeting Minutes: May 11, 2023

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive the minutes.

Attachments

Approved PC Minutes 05-11-23

CITY OF PACIFIC GROVE

PLANNING COMMISSION

REGULAR MEETING MINUTES

Thursday, May 11, 2023, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

This meeting was held in Council Chambers and via Zoom webinar

1. **CALL TO ORDER & ROLL CALL –** 6:00 p.m
   Members Present: Murphy, Sawyer, Fredrickson, Nodzenski
   Members Absent: Lilley, Kubica, Davison

2. **APPROVAL OF AGENDA**
   On a motion by Commissioner Sawyer, seconded by Commissioner Nodzenski, the Commission voted 4-0-3 (Lilley, Kubica, Davison absent) to approve the motion with the following amendment: item 8.A. to be continued.

3. **COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)**
   Commissioner Sawyer announced that she attended via Zoom a 3 day symposium for the National Planning Conference by the American Planning Association. Highlighting Housing, Multi Modal Transportation, and Community Engagement.

   Director Wyatt announced that Garrett McCown and Alec Barton as staff present.

4. **COUNCIL LIAISON ANNOUNCEMENTS**
   Council Member Coletti reported on April 19, 2023 Council Actions to adopted new goals for the next 2 years - Recreation Services, Infrastructure, Environmental Stewardship, and Affordable Housing. At the May 10, 2023 meeting discussed capital improvement projects for next fiscal year. At the next meeting on May 17, 2023 Council will appoint a General Plan Consultant. The will discuss the Cannabis

5. **GENERAL PUBLIC COMMENT**

   A. Public Comment

Reference: Annie Allenbaugh, Office Assistant
Recommended Action: Receive public comment.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

The following individuals submitted written public correspondence:

Lisa Ciani
Inge Lorentzen Daumer
Jane Haines
Luke Coletti
Tony Ciani
Kelly Nix

The flowing individuals provided verbal public comment at the meeting:

Lisa Ciani

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY

A. Planning Commission 2023 Workplan

From: Joseph Sidor, Contract Planner

Zoning District/General Plan Designation: N/A **Coastal Zone:** N/A **Historic Resources Inventory:** N/A

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Recommended Action: Receive the revised 2023 Workplan.
Reference: Joseph Sidor, Contract Planner

7. REPORTS REQUIRING ACTION

A. Minutes of the April 13, 2023, Planning Commission Regular Meeting

Reference: Joseph Sidor, Contract Planner

Recommended Action: Approve the Minutes of the April 13, 2023, Planning Commission
Recommended Action: Approve the Minutes of the April 13, 2023, Planning Commission Regular Meeting.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

On a motion by Commissioner Fredrickson, seconded by Commissioner Nodzenski, the consent agenda was unanimously approved as presented on a roll call vote. (4-0-3; Lilley, Kubica, and Davison absent).

REGULAR AGENDA

8. **PUBLIC HEARINGS**

A. Coastal Development Permit No. 22-0318, multiple locations in the Coastal Zone, Pacific Grove

From: Joseph Sidor, Contract Planner

Zoning District/General Plan Designation: O, R-1-B-4, & unclassified / LDR 1.0 du/ac, Open Space, & undesignated

Coastal Zone: Yes **Historic Resources Inventory:** N/A

CEQA: Initial Study, Negative Declaration

Recommended Action: Continue the project (Application No. 22-0318) to the Planning Commission Regular Meeting on June 8, 2023.

Reference: Joseph Sidor, Contract Planner

On a motion by Commissioner Sawyer, seconded by Commissioner Nodzenski, the Commission voted 4-0-3 (Lilley, Kubica, Davison absent) to approve the motion with the following amendment: item 8.A. to be continued.

B. Coastal Development Permit No. 23-0087, Temporary Special Events in the Coastal Zone, Pacific Grove

From: Joseph Sidor, Contract Planner

Zoning District/General Plan Designation: O & unclassified / Open Space, Recreation Trail, & undesignated

Coastal Zone: Yes **Historic Resources Inventory:** N/A

CEQA: Categorical Exemption, CEQA Guidelines Section 15323, Class 23, Normal Operations of Facilities for Public Gatherings

Recommended Action: Staff recommends the Planning Commission approve the Coastal Development Permit (CDP 23-0087), subject to the findings, conditions of approval, and Class 23 Categorical Exemption for Normal Operations of Facilities for Public Gatherings (CEQA Guidelines Section 15323).

Reference: Joseph Sidor, Contract Planner

Vice Chair Murphy introduced the item. Contract Planner Barton provided oral report. Vice Chair Murphy opened the public hearing and the following individuals provided public comment: Inge Lorentzen Daumer, and Lisa Ciani. After discussion

C. Accessory Dwelling Unit (ADU) Ordinance Amendment

From: Dara Sanders, Contract Planner

Zoning District/General Plan Designation: N/A **Coastal Zone:** N/A **Historic Resources Inventory:** N/A

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Recommended Action: Forward the proposed zoning text amendment to the City Council with a recommendation for approval.

Reference: Dara Sanders, Contract Planner

9. **CONTINUED AND ONGOING BUSINESS**

A. Housing Element and General Plan Updates

From: Anastacia Wyatt, Community Development Director

Zoning District/General Plan Designation: N/A **Coastal Zone:** N/A **Historic Resources Inventory:** N/A

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Recommended Action: Receive an oral report on the Housing Element and General Plan Updates.

Reference: Anastacia Wyatt, Community Development Director

B. Parklet Program Subcommittee

From: Claudia Sawyer, Planning Commissioner

Zoning District/General Plan Designation: N/A **Coastal Zone:** N/A **Historic Resources Inventory:** N/A

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Recommended Action: Receive an oral report on the activities of the Parklet Program Subcommittee.

Reference: Claudia Sawyer, Planning Commissioner

10. **NEW BUSINESS**

11. **PRESENTATIONS**

12. **NEXT MEETING - June 8, 2023**

13. **ADJOURNMENT – 7:20 p.m.**

CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Dara Sanders, Contract Planner and Anastacia Wyatt, Community Development Director
MEETING DATE:	August 02, 2023
SUBJECT:	Accessory Dwelling Unit (ADU) Ordinance Amendment ***This item was continued from the Council's July 5th and 19th meetings.***
CEQA:	Statutory Exemption, CEQA Guidelines 15282(h) - Adoption Regarding Second Units in a Single or Multi Family Residential Zone

RECOMMENDATION

1. Request the City Attorney read the title of the ordinance;
2. Motion to waive further reading of the ordinance;
3. Introduce and hold first reading of an ordinance amending Municipal Code Section Chapter 23.80 Accessory Dwelling Units approving the proposed zoning text amendment; and
4. Direct the publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

DISCUSSION

In 2017, The California State Legislature created a statewide regulatory framework for Accessory Dwelling Units (ADUs), which prompted local jurisdictions to adopt changes to the regulations and processes at the local level. The City of Pacific Grove subsequently amended its zoning code to integrate the State's ADU regulations. The Legislature adopted changes to the statewide regulations in 2022 related to the planning and permitting of ADUs, including AB 2221 and SB 897.

As a result of these statewide updates, the City's current ADU ordinance is out of compliance with State law. While the City currently applies the State's requirements for ADUs, the inconsistencies between the State's requirements and the City's requirements create confusion, especially for private property owners interested in constructing an ADU. City staff have prepared a zoning text amendment (ZTA) to the City's ADU ordinance to align with State law.

State Regulatory Changes for ADUs

These laws are AB 2221 and SB 897, and they took effect on January 1, 2023. The changes made in the new legislation are summarized below.

ADU Height. Local agencies must allow ADUs taller than 16 feet in certain circumstances. An 18-foot detached ADU must be allowed if the structure is within ½ mile of a major transit stop or high-quality transit corridor, or if the property has an existing multifamily, multi-story dwelling. For consistency in

application, staff is recommending that the 18-foot height limit be applied to detached ADUs citywide. A 25-foot ADU must be allowed if the ADU is attached to the primary dwelling, unless the allowed height limit for the primary dwelling is lower than 25 feet. Currently, all zoning districts in the City permitting residential units allow a primary residence to be at least 25 feet in height.

Front Setback. Front setbacks now fall under statewide exemption as a zoning requirement that cannot be enforced if they prevent an ADU of at least 800 square feet from being built. In these situations, ADUs are permitted to be located in the front setback of a residential property.
Procedure. If an ADU application is denied, the City is now required to provide the applicant with a "full set of comments" listing the specific items that are "defective or deficient." These comments must also describe "how the application can be remedied" by the applicant. In other words, the City is obligated to present the applicant with the information needed and options available to obtain approval for their ADU project.

Another new State requirement pertains to demolition permits associated with the construction or conversion of a structure to an ADU. Some local jurisdictions have required a two-step process for ADU projects requiring a demolition permit. For example, any required demolition permit must be first reviewed and approved before a property owner can obtain a building permit for constructing a new dwelling. The application of a two-step process is no longer permitted in any jurisdiction, and the City is required by State law to process, review, and act on a demolition application and an ADU application concurrently.

Lastly, cities cannot deny an application to create an ADU solely because corrections are needed to address nonconforming zoning conditions, building code violations, or unpermitted structures elsewhere on the property that do not present a threat to public health and safety and are not affected by the construction of the ADU. This does not insulate the property owner from having to come into compliance where other projects unrelated to an ADU application are concerned.

Objective Standards. The Legislature has now inserted an express definition into the ADU law: An "objective" standard is a standard that involves "no personal or subjective judgment by a public official" and that is "uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."

Proposed ADU Zoning Text Amendment
Staff has prepared several zoning text amendments (ZTA) that are intended primarily to align local ADU regulations with the State's regulations. Minor amendments are also proposed to resolve previous wording and scrivener's errors, as well as those intended to better organize ADU requirements. Staff's markups to the ADU ordinance are shown in Attachment A with deletions shown in strike through (~~text~~) and additions or changes shown in bolded, underlined, italics (***text***). A summary and explanation of each proposed ZTA is provided in the chart below.

Code Section	Amendment Summary	Purpose/Reason
23.80.030 "Definitions"		
Accessory Dwelling Unit	Update the definition to strike provision requirements (eating, cooking, sanitation, etc.) and reference Manufactured Home definition	This amendment to the definition of ADU is necessary to align with State law.

Objective Standards	Add a definition for “objective standards”	Because only objective standards can regulate the placement and design of ADUs, staff recommends including the State’s definition of objective standards.
Permitting Agency	Add a definition for “permitting agency”	This amendment would adopt the State’s definition of permitting agency for clarity.
Attached	Add a definition for “attached”	We currently do not define what conditions constitute an attached dwelling or structure. This would provide direct to Planning and Building staff for determining which ADU regulations (attached vs. detached) apply to a proposal.
23.80.040 “Approvals”		
(a) Ministerial Approval	Strike (a)(2)(C) related limitations on expansions of existing ADUs	This expansion limitation on an ADU created within an existing accessory structure violates State law.
	Add a new subsection (a)(3)(C) related to the height of an attached ADU on a single-family lot	This new section references another section within the ADU ordinance, which reflects the State’s ADU height regulations.
	~~Amend (a)(4)(A) to require a 4-ft side and rear setback~~	~~This amendment requires a greater setback that is aligned with State law.~~ The existing setback is aligned with (and less stringent than) State law. Amending the ordinance to require a 4-foot side and rear yard setback would create numerous legal non-conformities. Staff recommends keeping the side and rear setback at 3-ft.
	Amend (a)(4)(C) to reference height limitations listed in 23.80.060	This new section references another section within the ADU ordinance, which reflects the State’s ADU height regulations.
	Amend (a)(6) related to applicability to include proposed multi-family dwellings	This amendment specifies applicability to both existing and proposed multifamily developments that include ADUs.

	~~Amend (a)(6)(A) to require a 4-foot side and rear setback~~	~~This amendment requires a greater setback that is aligned with State law.~~ The existing setback is aligned with (and less stringent than) State law. Amending the ordinance to require a 4-foot side and rear yard setback would create numerous legal non-conformities.
	Add new subsections allowing ADUs in the front setback.	State law now permits an ADU to encroach into a front setback if there is insufficient area at the side or rear of a home to construct an ADU of up to 800 square feet.
	Add a new subsection (B) prohibiting the requirement to modify an existing nonconforming structure as a condition of approval for an ADU, and reorder subsequent sections	This section clarifies and codifies State law prohibiting conditions of approval for ministerial ADU projects on properties containing nonconforming buildings.
	Add a new subsection (C) to reference height limitations listed in 23.80.060	This new section references another section within the ADU ordinance, which reflects the State's ADU height regulations.
(b) Process and Timing	Add a new subsection (3) to adopt a procedural requirement for ADU and JADU applications denied by the City	In accordance with new State law, this section requires that, when denying an application, staff provide a full set of written comments to include a list of application deficiencies and ways to remedy the deficiencies.
	Add a new subsection (4) clarifying the procedural requirements for ADU and JADU applications requiring demolition of a detached garage	In accordance with State law, this new procedure requires that the City review an ADU application and associated demolition permit application concurrently instead of sequentially.
	Add a new subsection (5) exempting garage demolition (associated with the above subsection) from written notice and placard requirements.	In accordance with State law, this new procedure prohibits a requirement for notice of a demolition application associated with the construction of an ADU, unless the property is located with an architecturally or historically significant historic district.

23.80.050 “General ADU and JADU requirements”		
	Clarify in subsection (b) that the construction of an ADU cannot require installation of a fire sprinkler system in an existing primary dwelling (the main house)	In accordance with State law, this section limits the City from requiring that the main house on the property with a proposed ADU be retrofitted to install sprinklers. This does not restrict the City from requiring the ADU to install a sprinkler system when building code requires it.
	Amend the existing requirement in subsection (e) to reference a “wastewater treatment system”	The current requirement references a “water treatment system”, which is not the appropriate term for sewer-related capture and treatment. This was likely a scrivener’s error.
	Strike “or JADU” from subsection (f)	This would require that only ADUs are required to have a separate address from the main dwelling(s) on the property.
23.80.060 “Specific ADU and JADU requirements”		
(a) Size	Amend (a)(1) to specify distinct maximum floor areas for detached ADUs and attached ADUs	This amendment aligns the City’s requirements with State law, and it specifies a maximum square footage for a detached ADU (1,200 sq.ft.) and for an attached ADU (no more than 50% of the existing home).
(b) Height	Strike and replace (1) and (2) to establish distinct height limitations for attached and detached ADUs and limit them to 2 stories.	This amendment aligns the City’s requirements with State law pertaining to ADU height.
(d) Parking	Amend (3) to specify that off-street parking is not required for a JADU	This amendment aligns the City’s requirements with State law.
(e) Architectural Requirements	Strike (e) pertaining to architectural requirements	The State requires that all standards pertaining to the design of an ADU or a JADU must meet the State’s definition for objective standards. This subsection for “architectural requirements” does not meet the State’s definition and is not enforceable. Staff recommends striking this section until objective standards

		can be prepared, vetted, and adopted. Additional discussion is provided under "Objective Standards" of this staff report.
(f) Historical Protections	Strike the subsection pertaining to Historical Protections.	The State requires that all standards pertaining to the design and placement of an ADU or a JADU, including those pertaining to historic protections and compatibility, must meet the State's definition for objective standards. The City does not have objective historic standards at this time that can be enforced through historic review. Staff recommends striking this section until objective standards can be prepared, vetted, and adopted. Additional discussion is provided under "Objective Standards" of this staff report.
(g) Tree Removal and Pruning	Strike subsections (1)-(3)	Pursuant to State law, these are not enforceable, as it is not an objective standard and tree preservation cannot impede or impact the placement or size of an ADU or JADU.
23.80.070 "Fees and charges"		
(b) Utility Fees	Break the applicable utility fees into subsection (1) and (2), and reword the prohibition of a connection fee or capacity charge for clarity.	This is a non-substantive amendment that reorganizes the utility fees section.
23.80.080 "Nonconforming ADUs and discretionary approval.		

Objective Standards
Staff recommends striking language pertaining to architectural review and historic review at this time only because the City of Pacific Grove does not have architectural review or historic protections that meet the State's definition for "objective standards". Because the architectural review and historic protections provisions of the existing ADU ordinance do not meet the State's definition of "objective standards", these sections as they are currently written are not enforceable. The City will not lose oversight over the design of ADUs by striking these sections, and retaining these sections in the updated ADU ordinance would not allow for enforcement at the staff- or committee/commission-level; instead, retaining these sections could render the City's local ordinance null and void for non-compliance.

The City also has an obligation to comply with state law and to prepare and submit a compliant housing element. Pacific Grove has been meeting our previous Regional Housing Needs Allocation (RHNA)

through ADU construction, and we anticipate that ADU construction will be included in the updated Housing Element (currently being drafted) as a means of meeting our current RHNA. As a result, staff is concerned that adopting a non-compliant ADU ordinance could impact the State's certification of Pacific Grove's updated Housing Element, which could result in undesirable consequences and penalties including (builders remedy, ineligibility for State grants, etc.).

Staff recognizes and supports the importance of design and historic integrity to the community and to achieving the City's goals and policies. We also recognize the importance of reducing risk to the City through compliance with State law. Staff is in the process of securing a consultant to prepare State-compliant objective design and development standards for residential development in Pacific Grove, including ADUs. The drafting of these standards will include a robust public input process for community stakeholders to participate in identifying the design and development priorities for residential development.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered these amendments to the City's ADU Ordinance during their regularly scheduled meeting on May 11, 2023, and voted unanimously to forward the proposal to the City Council with a recommendation for approval.

Prior to voting on the item, the Planning Commission discussed the following topics:

Coastal Zone. Commissioners asked how this ordinance would impact accessory dwelling units in the Coastal Zone. Staff has attached a memo from John Ainsworth, Executive Director of the California Coastal Commission (CCC), regarding implementation of new ADU laws in the coastal zone. To summarize this memo, local governments must still abide by the requirements of their Local Coastal Programs (LCP) with regard to coastal resource protection, and the CCC recommends that local jurisdictions update their LPCs with Junior ADU and ADU provisions to align with State law. Because the City may amend its LCP only three time per year, staff recommends that the City initiate comprehensive updates to the LCP once objective design standards for ADUs are adopted.

Tree protection and preservation. Because the current subjective provisions with regard to tree preservation and pruning are proposed to be stricken from the current ADU ordinance, the Planning Commission requested that tree protection be considered for inclusion in objective standards and that staff encourage these activities to continue when processing ADU applications.

GOAL ALIGNMENT:

Increase Affordable Housing: Determine policies, projects and programs that will advance the effort to create new affordable housing in the City.

OPTIONS

The City Council's options include the following:

1. Approve the Planning Commission's recommendation to approve these amendments to the Accessory Dwelling Unit ordinance.
2. Approve the Accessory Dwelling Unit ordinance with changes; or
3. Continue the item to a later date.

FINANCIAL IMPACT:

Amending the ADU ordinance will not have an impact on the General Fund.

Attachments

Coastal Commission ADU Memo
Proposed Ordinance

CALIFORNIA COASTAL COMMISSION
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2421
VOICE (415) 904-5200
FAX (415) 904-5400

To: Planning Directors of Coastal Cities and Counties
From: John Ainsworth, Executive Director, California Coastal Commission
Date: January 21, 2022

RE: Updates Regarding the Implementation of New ADU Laws

I. Introduction

California's ongoing housing crisis continues to exacerbate housing inequity and affordability, especially in the coastal zone. To address this critical issue, the state Legislature has enacted a number of laws in the last several years that are designed to reduce barriers to providing housing and to encourage construction of additional housing units in appropriate locations. To this end, the 2019 legislative session resulted in a series of changes to state housing laws that facilitate the development of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), which can help provide additional housing units that can be more affordable than other forms of market rate housing. Importantly, the changes did not modify existing provisions of state housing law that explicitly recognize that local governments must still abide by the requirements of the Coastal Act, and by extension, Local Coastal Programs (LCPs). Thus, provisions on coastal resource protection must be incorporated into the planning and development process, and into updated LCP J/ADU requirements, when considering J/ADUs in the coastal zone.

The Coastal Commission strongly encourages local governments to update their LCPs with J/ADU provisions in a manner that harmonizes the State's housing laws with the Coastal Act. Doing so would protect the State's coastal resources while also reducing barriers to constructing J/ADUs and helping to promote more affordable coastal housing.

The Coastal Commission has previously circulated three memos to assist local governments with understanding how to carry out their Coastal Act obligations while also implementing state requirements regarding the regulation of J/ADUs. These memos have raised some questions for local governments, including the manner in which they are to be understood together. In order to address this issue, and to reflect lessons learned regarding J/ADU regulation in the coastal zone in the past few years, this updated memo supersedes and replaces these prior memos. This updated memo also elaborates on the changes to state housing laws that went into effect on January 1, 2020 and provides further information to help local governments harmonize these laws with the Coastal Act. This memo will briefly discuss the authority that the Coastal Act grants the Commission and local governments over housing in the coastal zone, new legislation regarding J/ADUs, how local governments can streamline J/ADU applications under the Coastal Act, and some key issues that should be considered when LCP amendments for J/ADU

provisions are undertaken. This memo is intended to provide general guidance for local governments with fully certified LCPs. The Coastal Commission is responsible for Coastal Act review of J/ADUs in most areas that are not subject to a fully certified LCP. Local governments that have questions about specific circumstances not addressed in this memo should contact the appropriate district office of the Commission.

II. Coastal Act Authority Regarding Housing in the Coastal Zone

The Coastal Act has a variety of provisions directly related to housing. Relevant here, the Coastal Act does not negate local government compliance with state and federal law "with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any other law hereafter enacted." (Pub. Res. Code § 30007.) The Coastal Act also requires the Coastal Commission to encourage housing opportunities for low- and moderate-income households (Pub. Res. Code § 30604(f)) but states that "[n]o local coastal program shall be required to include housing policies and programs. (Pub. Res. Code § 30500.1.) Finally, new residential development must be "located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it" or in other areas where development will not have significant adverse effects on coastal resources. (Pub. Res. Code § 30250.)

While the Commission does not currently have the explicit authority to provide or protect affordable housing in the coastal zone, the Commission has continued to preserve existing density and affordable housing whenever possible, including by supporting and encouraging the creation of J/ADUs. The creation of new J/ADUs in existing residential areas is one of many strategies that aims to increase the housing stock, including creating additional housing units of a type and size that can be more affordable than other forms of housing in the coastal zone, in a way that may be able to avoid significant adverse impacts on coastal resources.

III. Overview of New Legislation

As of January 1, 2020, AB 68, AB 587, AB 881, AB 670, AB 671, and SB 13 collectively updated existing Government Code Sections 65852.2 and 65852.22 concerning local government review and approval of J/ADUs, and as of January 1, 2021, AB 3182 further updated the same laws, with the goal of increasing statewide availability of smaller, and potentially more affordable, housing units. Importantly, some of the changes affect local governments in the coastal zone and are summarized below.

- Local governments continue to have the discretion to adopt J/ADU provisions that are consistent with state law, and they may include specific requirements for protecting coastal resources and addressing issues such as design guidelines and protection of historic structures.

- Outside of an LCP context, existing or new J/ADU provisions that do not meet the requirements of the new legislation are null and void and will be substituted with the

provisions of Section 65852.2(a) until the local government comes into compliance with new provisions. (Gov. Code § 65852.2(a)(4).) However, existing J/ADU provisions contained in certified LCPs are not superseded by Government Code Section 65852.2 and continue to apply to Coastal Development Permit (CDP) applications for J/ADUs until the LCP is modified. Coastal jurisdictions without any J/ADU provisions or with existing J/ADU provisions that were adopted prior to January 1, 2020 are encouraged to update their LCPs to comply with the State's new laws. Such new or updated LCP provisions need to ensure that new J/ADUs will protect coastal resources in the manner required by the Coastal Act and LCP, including, for example, by ensuring that new J/ADUs are not constructed in locations where they would require the construction of shoreline protective devices, in environmentally sensitive habitat areas and wetlands, or in areas where the J/ADU's structural stability may be compromised by bluff erosion, flooding, or wave uprush over the structure's lifetime.

- A major change to Section 65852.2 is that the California Department of Housing and Community Development (HCD) now has an oversight role to ensure that local J/ADU provisions are consistent with state law. If a local government adopts an ordinance that HCD deems to be non-compliant with state law, HCD can notify the Office of the Attorney General. (Gov. Code § 65852.2(h)(3).) To ensure a smooth process, local governments should submit their draft J/ADU provisions to HCD and Coastal Commission staff to review for housing law and Coastal Act consistency before they are adopted locally and should continue to foster a three-way dialogue regarding any potential issues identified. Additionally, Coastal Commission and HCD staff meet regularly to discuss and resolve any issues that arise in the development of J/ADU provisions in the coastal zone. The Commission continues to prioritize J/ADU LCP amendments, and some may qualify for streamlined review as minor or de minimis amendments. (Pub. Res. Code § 30514(d); 14 Cal. Code Regs. § 13554.)

- In non-coastal zone areas, local governments are required to provide rapid, ministerial approval or disapproval of applications for permits to create J/ADUs, regardless of whether the local government has adopted updated J/ADU provisions. (Gov. Code § 65852.2(a)(3).) In the coastal zone, CDPs are still necessary in most cases to comply with LCP requirements (see below); however, a local public hearing is not required, and local governments are encouraged to streamline J/ADU processes as much as feasible.

Other recent legislative changes clarify that local J/ADU provisions may not require a minimum lot size; owner occupancy of an ADU (though if there is an ADU and a JADU, one of them must be owner-occupied); fire sprinklers if such sprinklers are not required in the primary dwelling; a maximum square footage of less than 850 square feet for an ADU (or 1,000 square feet if the ADU contains more than one bedroom); and in some cases, off-street parking. Section 65852.2(a) lists additional mandates for local governments that choose to adopt a J/ADU

ordinance, all of which set the "maximum standards that local agencies shall use to evaluate a proposed [ADU] on a lot that includes a proposed or existing single-family dwelling." (Gov. Code § 65852.2(a)(6).) As indicated above, in specific cases coastal resource considerations may negate some such requirements, but only when tied to a coastal resource impact that would not be allowed under the Coastal Act and/or the LCP. In recent LCP amendments, these types of considerations have most often arisen in terms of the off-street parking provisions (see below).

IV. General Guidance for Reviewing J/ADU Applications

The following section lays out the general permitting pathway in which local governments can process J/ADU applications in a manner that is consistent with Coastal Act requirements and LCP provisions.

1) Check prior CDP history for the site.

Determine whether a CDP or other form of Coastal Act/LCP authorization was previously issued for development of the site and whether that CDP and/or authorization limits, or requires a CDP or CDP amendment for, changes to the approved development or for future development or uses of the site. The applicant should contact the appropriate Coastal Commission district office if a Commission-issued CDP and/or authorization affects the applicant's ability to apply for a J/ADU.

2) Determine whether the proposed J/ADU constitutes "development."

As defined by the Coastal Act, development refers to both "the placement or erection of any solid material or structure" on land as well as any "change[s] in the density or intensity of use of land[.]" (Pub. Res. Code § 30106.) Most J/ADUs constitute development if they include, for example, new construction of a detached ADU, new construction of an attached J/ADU, or conversion of an existing, uninhabitable, attached or detached space to a J/ADU (such as a garage, storage area, basement, or mechanical room). The construction of new structures constitutes the "placement or erection of solid material," and the conversion of existing, uninhabitable space would generally constitute a "change in the density or intensity of use." Therefore, these activities would generally constitute development in the coastal zone that requires a CDP or other authorization. (Pub. Res. Code § 30600.)

Unlike new construction, the conversion of an existing, legally established habitable space to a J/ADU within an existing residence, without removal or replacement of major structural components (e.g., roofs, exterior walls, foundations, etc.), and which does not change the intensity of use of the structure, may not constitute development within the definition in the Coastal Act. An example of a repurposed, habitable space that may not constitute new development (and thus does not require Coastal Act or LCP authorization) is the conversion of an existing bedroom within a primary structure.

Previously circulated Commission J/ADU memos (being superseded and replaced by this memo) indicated that construction or conversion of a J/ADU contained within or directly attached to an existing single-family residence (SFR) may qualify as development that was exempt from the requirement to obtain a CDP. Specifically, the Coastal Act and the Commission's implementing regulations identify certain improvements to existing SFRs that are allowed to be exempted from CDP requirements (Pub. Res. Code § 30610(a); 14 Cal. Code Regs § 13250.) Although the Commission has previously certified some LCP amendments that permitted certain exemptions for such ADU development, in a recent action, the Commission reevaluated its position and found that "the creation of a self-contained living unit, in the form of an ADU, is not an 'improvement' to an existing SFR. Rather, it is the creation of a new residence. This is true regardless of whether the new ADU is attached to the existing SFR or is in a detached structure on the same property." [1] On this basis, and based on the finding that a variety of types of J/ADUs—including both attached and detached J/ADUs—could have coastal resource impacts that make exemptions inappropriate, it rejected the local government's proposed exemptions for certain J/ADUs. Local governments considering updating LCP J/ADU provisions should consider the Commission's recent stance regarding exemptions for ADUs and may work with Commission staff to determine the best way to proceed on this issue.

3) If the proposed J/ADU constitutes development, determine whether a CDP waiver or other type of expedited processing is appropriate.

If a local government's LCP includes a waiver provision, and the proposed J/ADU meets the criteria for a CDP waiver, the local government may issue a CDP waiver for the proposed J/ADU. The Commission has generally allowed a CDP waiver for proposed J/ADUs if the Executive Director determines that the proposed development is de minimis (i.e., it is development that has no potential for any individual or cumulative adverse effect on coastal resources and is consistent with all Chapter 3 policies of the Coastal Act). Such a finding can typically be made when the proposed J/ADU project has been sited, designed, and limited in such a way as to ensure any potential impacts to coastal resources are avoided (such as through habitat and/or hazards setbacks, provision of adequate off-street parking to ensure that public access to the coast is not impacted, etc.). (*See* Pub. Res. Code § 30624.7.) Projects that qualify for a CDP waiver typically allow for a reduced evaluation framework and streamlined approval.

Most, if not all, LCPs with CDP waiver provisions do not allow for waivers in areas where local CDP decisions are appealable to the Coastal Commission. There have been a variety of reasons for this in the past, including that the Commission's regulations require that local governments hold a public hearing for all applications for appealable development (14 Cal. Code Regs § 13566), and also that development in such areas tends to raise more coastal resource concerns and that waivers may therefore not be appropriate. However, under the state's J/ADU provisions, public hearings are not required for qualifying development.

[1] See Coastal Commission staff report, pp. 16-17 (Commission acted on this item on December 17, 2021).

Because of this, the above-described public hearing issue would not be a concern, so it could be appropriate for LCPs to allow CDP waivers in both appealable and non-appealable areas at least related to this criterion. Local governments should consult with Commission staff should they consider proposing CDP waiver provisions in their LCP. Any LCP amendment applications that propose to allow waivers in appealable areas should ensure that there are appropriate procedures for notifying the public and the Commission regarding approvals of individual, appealable waivers (such as Final Local Action Notices) so that the proper appeal period can be set, and any appeals received are properly considered.

The Coastal Act also provides for other streamlined processing for certain types of development, including for minor development. (Pub. Res. Code § 30624.9.) In certain cases, categories of development can also be excluded from CDP requirements if certain criteria are met (see box). In any case, local governments without such CDP waiver and other processing and streamlining tools are encouraged to work with Commission staff to amend their LCP to include such measures.

Coastal Act section 30610(e) allows certain categories of development that are specified in Commission-approved Categorical Exclusion (Cat Ex) Orders to be excluded from CDP requirements, provided that the category of development has no potential for any significant adverse effect, either individually or cumulatively, on coastal resources. (See also 14 Cal. Code Regs §§ 13240 et seq.)

Cat Ex Orders apply to specific types of development within identified geographical locations. For example, the Commission may approve a Categorical Exclusion for J/ADUs that would normally require a CDP (i.e., it is defined as development) because that specific development type in that specific geographic area can be demonstrated to not result in individual and/or cumulative coastal resource impacts. Cat Ex Orders are prohibited from applying to: tide and submerged lands; beaches; lots immediately adjacent to the inland extent of any beach; lots immediately adjacent of the mean high tide line of the sea where there is no beach; and public trust lands.

Cat Ex Orders provide another potential means of streamlining J/ADU consideration, and interested local governments should consult with Commission staff if they intend to propose such an Order. Cat Ex Orders are processed separately from LCP amendments, require a 2/3 vote of the Commission to be approved, and are typically subject to conditions. Once approved, the local government is responsible for reviewing development that might be subject to the Cat Ex Order and is typically required to report any exclusions applied pursuant to the Order to the Commission for review by the Executive Director and for an appeal period before they can become effective. It is important to note that while Cat Ex Orders can be a powerful tool if approved, the Commission must be able to conclude that the specific category of development in a specific geographic area has no potential for any significant adverse coastal resources impacts in order to approve one. Thus, the local government pursuing a Cat Ex Order must provide supporting documentation and evidence that can conclusively show that to be the case.

4) If a full CDP is required, review CDP application for consistency with certified LCP requirements.

If a proposed J/ADU constitutes development and cannot be processed as a waiver or similar expedited Coastal Act approval authorized in the certified LCP, it requires a CDP. The CDP must be consistent with the requirements of the certified LCP and, where applicable, the public access and recreation policies of the Coastal Act. The local government must then provide the required public notice for any CDP applications for J/ADUs and process the application pursuant to LCP requirements, but should process it within the time limits contained in the ADU law, if feasible. However, local governments are not required to hold a public hearing on CDPs for ADUs. (Gov. Code § 65852.2(I).) Once the local government has issued a decision, it must send the required final local action notice to the appropriate district office of the Commission. If the CDP is appealable, a local government action to approve a CDP for the ADU may be appealed to the Coastal Commission. (Pub. Res. Code § 30603.)

V. Key Considerations

Per Government Code Section 65852.2, subd. (l), known as the Coastal Act Savings Clause, the State's new ADU requirements shall not be "construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976." There are a number of key issues that local governments should account for in order to ensure their LCP J/ADU provisions are consistent with the requirements in the Coastal Act. This section addresses some of the key issues that the Commission has dealt with recently, including public coastal access parking requirements and protection of sensitive habitats and visual qualities. Local governments are encouraged to contact their local Coastal Commission district office for further assistance.

Protection of public recreational access in relation to parking requirements

Government Code Section 65852.2 requirements regarding parking for J/ADUs are as follows:

a. One parking space is required per unit or per bedroom, whichever is less. The parking space can be a tandem space in an existing driveway.

b. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, no replacement parking space(s) are required.

However, Section 65852.2 further stipulates that the parking requirements listed above do not apply to ADUs constructed:

a. Within ½ mile walking distance of public transportation stops/routes;

b. Within a historic district;

c. Within a primary residence or accessory structure;

d. When on-street parking permits are required but not offered to the occupant of the ADU;

e. And where a car-share vehicle is located within one block of the ADU.

Thus, the Government Code limits the circumstances when a local government can require a J/ADU project to address its parking needs onsite. This is a departure from most local government parking requirements which often explicitly specify the number of off-street parking spaces that must be provided onsite in any particular development, including residential development. The potential outcome is that private residential J/ADU parking needs can be shifted onto adjacent public streets. At the same time, the Coastal Act contains objectives and policies designed to protect and provide for maximum coastal access opportunities, which includes maintaining sufficient public coastal parking, including as implemented through LCP off-street parking provisions. The addition of J/ADUs may interfere with coastal public street parking availability if, for example, a garage is converted to a J/ADU and parking is not replaced onsite, in addition to the J/ADU parking demand itself. The Commission has often found that when private residential parking needs are not accommodated onsite, it can lead to increased use of on-street parking to address such needs, thereby reducing the availability of on-street parking to the general public. This may adversely affect public coastal access if it occurs in high visitor-serving areas and/or areas with significant public recreational access opportunities, and where on-street parking is heavily used. The result will be that the general public could be displaced from on-street parking by J/ADU parking needs, which may violate the Coastal Act's requirements to protect, provide, and maximize public coastal access and recreational opportunities. In many impacted coastal neighborhoods, development patterns over the years have not adequately accounted for off-street parking needs, and adding J/ADU parking to the mix will only exacerbate such public parking difficulties. Additionally, because general on-street parking is typically free or lower cost compared to other public parking facilities, J/ADU construction may also interfere with maintaining lower cost coastal access for all.

In order to avoid conflicts regarding parking requirements for J/ADUs as they may impact public access, local governments are encouraged to work with Commission staff to identify or map specific neighborhoods and locations where there is high visitor demand for public on-street parking needed for coastal access and to specify parking requirements for each such area that harmonizes Government Code requirements with the Coastal Act (and any applicable LCP policies). These maps can denote areas that supply important coastal public parking and access opportunities, and require that J/ADU development in these areas ensure that private residential parking needs are accommodated off-street. Importantly, such upfront LCP mapping and provisions allow the local government to address impacts to public access and parking supply without the need for a protracted, or even necessarily a discretionary, decision. The Commission has previously found that local governments may include specific off-street parking requirements for J/ADUs constructed in these locations and may also require maintenance of all off-street parking for the primary residence (see examples below). However, harmonizing the distinct priorities between the Coastal Act's protection of public coastal access and the J/ADU provisions on parking requirements will require a case-by-case consideration of the specific circumstances of each jurisdiction.

Protection of sensitive habitats and visual qualities; avoidance of hazards

While most J/ADU projects take place within established residential neighborhoods where potential coastal resource impacts are fairly limited, there can be cases where such projects may affect significant coastal resources, such as sensitive habitats and shorelines and beaches. As a general rule, LCPs include many provisions protecting such resources, and it is important that proposed J/ADU provisions are not structured to undo any such LCP protections that already apply. J/ADUs may need to be reviewed for specific siting and design standards, particularly in visually sensitive areas (such as the immediate shoreline, between the first public road and the sea, near LCP-designated scenic areas, etc.). Similarly, where sensitive habitat may be present, J/ADUs must be reviewed for impacts to such habitat, including with respect to fuel modification for defensible space. Additionally, local governments should include provisions for J/ADUs constructed in areas vulnerable to sea level rise and other coastal hazards which ensure not only that these structures will meet all LCP requirements for new development to be safe from such hazards, but that also addresses the need for future sea level rise adaptations (including future accommodation or removal, risk disclosure conditions on the J/ADU, and any other risk-related issues dealt with in the LCP).

VI. Examples of Recently Updated ADU Provisions in Certified LCPs

A number of local jurisdictions have recently updated their LCPs to include new J/ADU provisions. Coastal Commission staff reports are linked below, which summarize specific issues that arose between Coastal Act requirements and the new J/ADU provisions as well as the necessary changes that were made in order to harmonize each jurisdiction's LCP with the State's housing laws. The suggested modifications shown in the staff reports were all approved by the Coastal Commission.

City of Santa Cruz (approved May 2021). This LCP amendment included clarifying language to address which provisions of the new state housing laws applied to ADUs in the coastal zone of the City of Santa Cruz as well as ensuring that the coastal resource protection provisions of the City's current LCP are maintained. The amendment also addressed specific off-street parking requirements for ADUs sited near significant coastal visitor destinations. The City of Santa Cruz adopted the Commission's modifications in August 2021.

City of Pacifica (approved June 2021). This LCP amendment revised the City's Implementation Plan to incorporate J/ADU provisions that are in line with the updated state housing laws, including streamlined procedures for J/ADU review and permitting processing, providing J/ADU development standards, and crafting tailored modifications to address specific public access parking needs in key visitor destination areas. The City of Pacifica adopted the Commission's modifications in August 2021.

County of San Mateo (approved July 2021). This LCP amendment incorporated more specific ADU regulations relating to size limits, maximum number of J/ADUs permitted per lot, streamlined review and process of J/ADU permits, and parking availability in areas that are

significant coastal visitor destinations. The County of San Mateo adopted the Commission's modifications in September 2021.

City of Encinitas (approved August 2021). The Coastal Commission approved revisions to the City of Encinitas' Implementation Plan that updated existing definitions for ADUs and JADUs and clarified development standards for accessory units, including standards for size, height, and setbacks.

City of Santa Barbara (approved December 2021). The Coastal Commission approved Commission staff's revision of the City of Santa Barbara's LCP amendment submittal addressing updated ADU provisions to be consistent with state housing laws. The amendment revised J/ADU terms and definitions, building standards, parking requirements, and permitting review and processing procedures. The staff report included modifications that address the CDP exemption issue (discussed above).

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ORDINANCE NO. 23- __

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING CHAPTER 23.80 OF THE PACIFIC GROVE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS

FACTS

1. The City has regulated ADUs since 1983 as set forth in Pacific Grove Municipal Code (PGMC) Chapter 23.80.
2. Senate Bill 897 (SB 897) and Assembly Bill 2221 (AB 2221), amending the statewide regulatory framework for Accessory Dwelling Units (ADU) took effect on January 1, 2023.
3. The City has determined that it is appropriate to amend Chapter 23.80 of Title 23 "Zoning" to protect the health, safety, and welfare of the public, and will ensure alignment with the State's Accessory Dwelling Unit regulations.
4. Notice of the public hearing was published on July 6, 2023.
5. This Ordinance amends PGMC Section 23.80, entitled "Accessory Dwelling Units" to comply with State law and to provide a more streamlined process for the development of ADUs and JADUs and to provide additional affordable housing opportunities.
6. In the enactment of this Ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.
7. Amendment of PGMC Section 23.80 pertaining to ADUs is statutorily exempt from review under the California Environmental Quality Act (CEQA) per Section 15282(h) of the CEQA Guidelines as it implements Government Code Sections 65852.1 and 65852.2 as set forth in Section 21080.17 of the Public Resources Code.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing Facts are adopted as findings of the City Council as though set forth in fully within the body of this ordinance.

SECTION 2. Pacific Grove Municipal Code Chapter 23.80 shall be amended by deletion of all text shown in strikeout text (~~strikeout text~~) and the addition of all text shown in bold, italic, underscored text (***bold, italic, underscored text***), as follows:

Chapter 23.80
ACCESSORY DWELLING UNITS

23.80.010 Purpose and intent.
23.80.020 Effect of nonconforming.
23.80.030 Definitions.
23.80.040 Approvals.

23.80.050 General ADU and JADU requirements.
23.80.060 Specific ADU and JADU requirements.
23.80.070 Fees and charges.
23.80.080 Nonconforming ADUs and discretionary approval.

23.80.010 Purpose and intent.
The purpose of this chapter is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22, as may be amended.

23.80.020 Effect of nonconforming.
An ADU or JADU that conforms to the standards in this chapter will not be:
(a) Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.
(b) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
(c) Considered in the application of any local ordinance, policy, or program to limit residential growth.
(d) Required to correct a nonconforming zoning condition, as defined in PGMC 23.80.030. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

23.80.030 Definitions.
As used in this chapter, terms are defined as follows:

(a) "Accessory Dwelling Unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities ~~and permanent provisions for living, sleeping, eating, cooking, sanitation, and connection to utilities~~ for one or more persons and is located on a lot with a proposed or existing primary residence or multi-family residences and may include the following:

(1) Detached: the unit is separated from the primary structure or structures.

(2) Attached: the unit is attached to the primary structure.

(3) Converted Existing Space: space (e.g., bedroom, attached garage, storage area, or an accessory structure) on the lot of primary residence(s) that is converted into an independent living unit.

(4) Junior Accessory Dwelling Unit (JADU): A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence.

(5) Manufactured Home, ***as defined in Section 18007 of the Health and Safety Code.***

(6) Efficiency Unit.

(b) "Accessory structure" means a building or structure that is incidental to that of the main building on the same lot.

(c) ***"Attached" means a building which has at least part of a wall in common with another building, or which is connected to another building by a roof.***

(d) "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

(e) "Efficiency Unit" means a unit that includes each of the following:

(1) Compliance with Section 17958.1 Health & Safety Code, as may be amended.

(2) A food preparation counter or counters that are adequate for the unit. ~~and~~

(3) Food storage cabinets that are adequate for the unit.

(f) "Junior accessory dwelling unit" or "JADU" means a residential unit that:

(1) Is no more than 500 square feet in size.

(2) Is contained entirely within an existing or proposed single-family structure.

(3) Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure. ~~and~~

(4) Includes an efficiency unit, as defined in this chapter.

(g) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(h) "Manufactured Home" means a unit as defined by Section 18007 of the California Health and Safety Code, as may be amended.

(i) "Ministerial approval" means approval related to a building permit that does not require discretionary action or a hearing.

(j) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(k) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the

development applicant or proponent and the public official prior to submittal.

(l) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

(m) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(n) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(o) "Public transit" means a fixed-route (bus stop or other transit stop) transportation that charges set fees, runs on fixed routes, and is available to the public.

(p) "Tandem parking" means two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

23.80.040 Approvals

The following approvals apply to ADUs and JADUs under this section:

(a) Ministerial Approval. An ADU or JADU which complies with each of the general requirements in PGMC 23.80.050 is allowed with a building permit and shall not require discretionary planning approval. The ADU/JADU project shall be reviewed in a ministerial and administrative manner, limited to only considering the project's compliance with the applicable objective standards.

(1) One ADU and one JADU on a lot with a proposed or existing single-family dwelling.

(2) Converted on a Single-family Lot:

(A) Created within the existing space of an accessory structure.

(B) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building codes.

~~(C) An ADU created within an existing accessory structure may expand an additional 150 sq. ft. if expansion is limited to accommodating ingress and egress only.~~

(3) Attached ADU on Single-Family Lot:

(A) Shall not exceed 50% of the square footage of proposed or existing building, or 1,000 sq. ft., whichever is greater.

(B) Setbacks same as (2)(B) above.

(C) May be located at the front of the lot or in the front setback if sufficient area for an ADU up to 800 square feet does not exist at the rear or side of the primary dwelling unit.

(D) The height limitation as provided in PGMC 23.80.060

(4) Detached on Single-Family Lot.

(A) The side and rear yard setbacks are ~~at least~~ ***no less than*** three feet.

(B) ***May be located at the front of the lot or in the front setback if sufficient area for an ADU up to 800 square feet does not exist at the rear or side of the primary dwelling unit.***

(C) The total maximum floor area is up to 1,200 square feet. ~~And~~

(D) The ~~peak height above grade is 16 feet or less.~~ ***height limitation as provided in PGMC 23.80.060.***

(5) Converted on Multifamily Lot. Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. At least one converted ADU is allowed within an existing multifamily dwelling, or up to 25 percent of the existing multifamily dwelling units may each have a converted ADU under this subsection.

(6) Detached on Multi-family Lot. No more than two detached ADUs on a lot that has an existing ***or proposed*** multifamily dwelling if each detached ADU satisfies the following limitations:

(A) The side and rear yard setbacks are ~~at least~~ ***no less than*** three feet. ~~(corner and exterior setbacks for the zoning district apply); and~~

(B) If the existing multifamily dwelling has a rear or side setback of less than three feet, the city shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an ADU.

(C) May be located at the front of the lot or in the front setback if sufficient area for an ADU up to 800 square feet does not exist at the rear or side of the primary dwelling unit.

(D) The height limitation as provided in PGMC 23.80.060

(E) The total floor area is 1,200 square feet or smaller.

(7) Junior Accessory Dwelling Unit (JADU):

(A) Constructed entirely within an existing or proposed single-family structure.

(B) Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.

(C) Includes an efficiency unit as defined in this chapter.

(b) Process and Timing.

(1) An ADU or JADU permit is considered and approved ministerially, without discretionary review or a hearing, if it meets the minimum standards above.

(2) The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:

(A) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay. ~~or~~

(B) In the case of a JADU and the application to create a JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the JADU will be considered ministerially without discretionary review or a hearing.

(3) **If an application for an ADU or a JADU is denied, the City shall, within the time period previously described, return in writing a full set of comments to the applicant with a list of items that are defective or** ***deficient and a description of how the application can be remedied by the applicant.***

(4) A demolition permit for a detached garage that is to be replaced with an ADU must be reviewed with the application for the ADU and issued at the same time.

(5) The applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an ADU, unless the property is located within an architecturally and historically significant historic district.

23.80.050 General ADU and JADU Requirements

The following requirements apply to all ADUs and JADUs that are approved under PGMC 23.80.040(a):

(a) Zoning. An ADU or JADU subject only to a building permit under PGMC 23.80.040(a) may be created on a lot in any zone that allows residential uses.

(b) Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence. ***The construction of the ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.***

(c) Rental Term. An ADU or JADU may be rented under the following conditions:

(1) No ADU or JADU may be rented for a term less than 30 days, and

(2) JADU – owner must reside in either the primary residence or the JADU per Government Code 65852.22, Subd. (a)(2), as may be amended.

(d) No Separate Conveyance. No ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot) unless allowed by Gov. Code, § 65852.26 (Qualified nonprofit corporation conveyance).

(e) Septic System. If the ADU or JADU will connect to an on-site ***waste***water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(f) Each ADU ~~or JADU~~ shall have a separate address from the single or multi- family dwelling on the property.

(g) Each ADU or JADU shall have a separate exterior access independent of the existing or proposed single or multi-family dwelling.

23.80.060 Specific ADU and JADU requirements.

(a) Size.

(1) The total maximum floor area ***for a detached ADU*** may be up to 1,200 square feet. ***The total floor area of an attached ADU shall not exceed 50 percent of the existing primary dwelling.***

(2) The minimum size is 150 square feet to include efficiency unit.

(3) A JADU shall not exceed 500 square feet.

(b) Height.

~~(1) A single-story, attached or detached ADU may not exceed 16 feet in height above grade, measured to the peak of the structure.~~

~~(2) A second story or two-story attached ADU addition may be permitted subject to an architectural permit and may not exceed the height of the zoning district.~~

(1) ***A detached ADU on a lot within one-half mile walking distance of a major transit stop or high-quality transit corridor may be up to 18 feet in height, with an allowance of an additional two feet to accommodate a roof pitch aligned with the primary dwelling.***

(2) ***A detached ADU on a lot with an existing or proposed multi-family, multi-story dwelling may be up to 18 feet in height.***

(3) An attached ADU may be up to 25 feet in height or two stories, whichever is less.

(c) Passageway. No passageway, as defined in PGMC 23.80.030, is required for an ADU.

(d) Parking.

(1) Generally. Off-street parking is not required for an ADU located within one-half mile walking distance of public transit. If a property is not within one-half mile walking distance to a transit stop, one off-street parking space shall be provided and may be located in setback areas or as tandem parking, as defined in PGMC 23.80.030.

(2) ~~No Replacement.~~ When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

(3) No off-street parking is required for a JADU.

~~(e) Architectural Requirements.~~

~~(1) Where the development of an ADU includes exterior alterations, additions, or construction of new structure, the ADU may, where feasible, incorporate the same or similar architectural features, building materials, including window style and materials, and roof slopes as the main dwelling unit or dwellings located on the subject property.~~

~~*(f)* Historical Protections. Historic review shall be required for properties listed on the California Register of Historic Resources.~~

(g) Tree Removal and Pruning. Tree permits for the removal and/or pruning of permit trees shall be required per PGMC Title 12, but shall in no way prohibit the development of a minimum 1,200 sq. ft. ADU.

~~(1) Applicants are encouraged to locate and design ADU and/or JADU additions so that the retention of native trees (Gowen cypress, Coast live oak, Monterey cypress, Shore pine, Torrey pine, and Monterey pine) can be accommodated whenever possible.~~

~~(2) All trees in or within 100 yards of designated Monarch sanctuaries. (Pruning and removal of trees within the Monarch sanctuaries is prohibited between October 1 and May 1).~~

~~(3) A Coastal Development Permit (CDP) may be required for tree removal in the Coastal zone.~~

23.80.070 Fees and charges.

(a) Impact Fees.

(1) No impact fee is required for an ADU or JADU that is less than 750 square feet in size.

(2) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.

(b) Utility Fees.

(1) Converted ADUs and JADUs on a single-family lot, created under PGMC 23.80.040(a)(1), are not required to have a new or separate utility connection directly between the ADU or JADU and the utility.

(2) ~~Nor is a~~ ***A*** connection fee or capacity charge ***is not*** required unless the ADU or JADU is constructed with a new single-family ~~home~~ ***dwelling.***

23.80.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in this chapter may be allowed by the city with a use permit, in accordance with the other provisions

of this title.

The local agency shall not deny an application for a permit to create an ADU due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the ADU.

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. Severability. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. In accord with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS ___day of _____, 2023, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED

_____
BILL PEAKE, Mayor

ATTEST:
DATED:_____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____

BRIAN A. PIERIK, City Attorney

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Anastacia Wyatt, Community Development Director

MEETING DATE: August 02, 2023

SUBJECT: Formal Selection of Focused General Plan Update Consultant

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,628,321 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

At its August 17, 2022, meeting, the City Council directed staff to issue a Request for Proposals (RFP) to update the City's 1994 General Plan, Zoning Code & Map, Objective Design & Development Standards (ODDS), as well as conduct the required environmental review in accordance with the requirements of the California Environmental Quality Act (CEQA). Staff issued the RFP on September 16, 2022, with a closing date of December 2, 2022.

Staff brought the proposal to City Council on May 17, 2023. Based on input received from the Council, staff worked with the consultant team to prepare a revised proposal for the Focused General Plan Update. The revised proposal responds to Council's main concerns addressed on May 17, 2023. Rincon has revised the following in the attached proposal dated 7/21/2023:

- Remove fiscal year budget caps and provide a year-round budget/scheduling approach;
- Prioritize the completion of necessary rezoning to support compliance with RHNA requirements and rezoning deadlines mandated by AB 1398;
- Develop a phased approach for the Focused General Plan Update prioritizing more immediate needs in Phase I;
- Ensure the proposal supports monthly progress reports to accompany invoicing;
- Adjust the scope of work for the Land Use Alternatives, Land Use Element and environmental analysis under the assumption that the 2023-2031 Housing Element will drive any land use changes for this Focused General Plan Update effort;
- Streamline the proposal in line with a phased approach including the level of effort for the Existing Conditions, Strengths Weaknesses Opportunities Threats (SWOT) Analysis and

Preliminary Policy and Implementation Recommendations tasks;
- Move the economic analysis and parking study to optional tasks;
- Move the Climate Action and Adaptation Plan (CAAP) to an optional task;
- Continue to leverage city staff to partner and support community engagement activities resulting in a reduction of consultant led community engagement; and
- Continue to leverage virtual attendance as much as possible for community engagement and public meetings/hearings to reduce direct expenses.

Background

The City's Regional Housing Needs Allocation (RHNA) increased substantially to 1,125 residential units required to be constructed by 2031. This constitutes an 878% increase in Pacific Grove's RHNA from the previous cycle and a 14% increase in the number of new households in Pacific Grove. While updates to the Housing Element occur every 8 years in accordance with the State's housing cycles, these updates typically do not trigger the requirement for major updates to the General Plan. However, this substantial increase is expected to impact the need for commercial services, educational and medical services, recreational services, calls for emergency services, and the City's transportation network.

The City has determined that a focused update to the City's Land Use, Safety, and Transportation elements is necessary to address the expected impacts of 1,125 additional residential units. The focused General Plan update would include a robust public engagement program to engage all sectors of the City's population in this planning effort and that identifies the community values and translates those values into a community vision out to the year 2045.

In addition, the City will be required to complete rezoning efforts to accommodate the RHNA allocation of 1,125 units and create Objective Design and Development Standards (ODDS). Depending on HCD's determination if the Housing Element does not identify enough existing, properly zoned sites to accommodate its RHNA, rezoning may be required within one year if the housing element is not found in compliance within 120 days of the statutory deadline.

General Plan Update RFP Response

The City received one (1) qualified response to the City's RFP by the December 2nd deadline, from Rincon Consultants, Inc (Rincon). The details of the proposed scope and cost estimate are attached to this report. Following the December 2nd deadline, Community Development Department (CDD) staff formed evaluation & interview committees to review the submitted materials. The committees included members of City Council, Planning Commission, City staff, and staff from nearby jurisdictions.

Rincon submitted a response that includes activities and deliverables for a focused General Plan update based on the minimum requirements of the RFP, as well as optional tasks including an economic analysis, a market assessment, parking data, and a climate action and adaptation plan.

Project Cost

Rincon submitted an initial bid with a total estimated cost for the services described above up to $2,715,491. However, with further negotiations with the City, Rincon adjusted their bid and reduced their overall costs to $2,193,070 with the project beginning in FY 22/23 and completing the project in FY 27/28. After the May 17, 2023 City Council meeting, the full proposal cost has increased per Council request to have Rincon work continuously throughout the Fiscal Year without breaks in the scope of work. The accelerated schedule is reflected in the overall cost estimate in the attached July 2023 proposal. The Focused General Plan Update Cost Summary is detailed on page 72, Section 4.2 of the attached proposal.

Considerations
Rincon and their subconsultants are qualified and experienced professionals with a demonstrated ability to complete the project(s). Their proposal is thorough and addresses the City's needs for a focused General Plan update (with and without the optional tasks); however, it also exceeds the City's estimated cost to complete the work.

Timeline
Rincon is proposing to initiate the focused update in FY 23/24 with a Phased approach per City Council's request.

Phase I will prioritize Zoning Ordinance Map and amendments to comply with State RHNA requirements and AB 1398 rezoning mandates. Phase I will also include the necessary Land Use Element updates and Objective Design and Development Standards. An EIR will be required to complete Phase I and will be a Program EIR pursuant to State CEQA Guidelines Section 15168. A more detailed summary of Phase I is detailed on page 73 of the attached proposal dated July 2023. Phase I is estimated to begin September 2023 and finalize with public hearings in November-December 2024. The estimated Project Schedule by Subtask is detailed on page 68 of the July 2023 proposal.

Phase II would update the Health and Safety Element along with concurrent updates to the Transportation Element and community character portions of the Land Use Element. In addition, Phase II would include the preparation of architectural objective design and development standards. Phase 2 of the GPU would include preparation of the Circulation Element, Safety Element, and, if the optional task is selected, the CAAP. The Circulation Element is not anticipated to identify new transportation improvements that would result in a physical effect. In addition, Safety Elements and CAAPs typically do not generate significant environmental impacts, which primarily arise from land use development. Because land use development, which is facilitated by the Land Use Element prepared under Phase 1, would be analyzed in the Phase 1 GPU EIR. In accordance with Section 15164 of the CEQA Guidelines, a lead agency may prepare an addendum to a previously certified EIR. Rincon proposes to prepare an EIR Addendum for the Phase 2 GPU. An EIR Addendum is appropriate when there are minor changes or additions to a project that do not result in significant new impacts. It is used when the changes are within the scope of the original analysis, the new information was not available during the original EIR, and major revisions to mitigation measures are not required. This is detailed in Task 8: CEQA Analysis (EIR Addendum) of the proposal on page 63.

Phase II is estimated to begin March 2024 and conclude with the Final General Plan in June 2026. This is detailed on page 69 of the proposal.

Goal Alignment
Given the far-reaching nature of long-term planning documents, the General Plan Update is and will be in line with all goals established by the City Council.

OPTIONS

1. Select Rincon as the consultant for the focused General Plan Update, including optional tasks: economic analysis, a market assessment, parking data, and a climate action and adaptation plan.
2. Select Rincon as the consultant without some or all of the optional tasks.
3. Select Rincon as the consultant for only zoning and objective standards and defer the focused update.
4. Direct staff to rebid one or all the items in the proposal.

5. Provide other direction.

FINANCIAL IMPACT:
The total impact to the City's budget would be $2,628,321 from Fiscal Year 23/24 through Fiscal Year 25/26.

A $500,000 placeholder was placed in the FY 23/24 Approved Budget.

FOCUSED PRIORITY AREA: See Goal Alignment within Discussion section.

Attachments

Focused General Plan Update Rincon Proposal July 2023

Rincon Consultants, Inc.

2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

July 21, 2023

Anastacia Wyatt, Community Development Director
City of Pacific Grove Community Development Department
300 Forest Avenue
Pacific Grove, California 93950

Subject: Focused General Plan Update– Revised General Plan Proposal July 2023

Dear Ms. Wyatt:

The Rincon team presented the Focused General Plan proposal at a City Council Hearing on May 17, 2023. Based on input received from the Council as well as additional guidance provided by City staff, we have prepared a revised proposal for the Focused General Plan Update. Our revised proposal responds to the following comments:

- Remove fiscal year budget caps and provide a year-round budget/scheduling approach
- Prioritize the completion of necessary rezoning to support compliance with RHNA requirements and rezoning deadlines mandated by AB 1398
- Develop a phased approach for the Focused General Plan Update prioritizing more immediate needs in Phase I
- Ensure the proposal supports monthly progress reports to accompany invoicing
- Adjust the scope of work for the Land Use Alternatives, Land Use Element and environmental analysis under the assumption that the 2023-2031 Housing Element will drive any land use changes for this Focused General Plan Update effort
- Streamline the proposal in line with a phased approach including the level of effort for the Existing Conditions, SWOT Analysis and Preliminary Policy and Implementation Recommendations tasks
- Move the economic analysis and parking study to optional tasks
- Move the CAAP to an optional task
- Continue to leverage city staff to partner and support community engagement activities resulting in a reduction of consultant led community engagement
- Continue to leverage virtual attendance as much as possible for community engagement and public meetings/hearings to reduce direct expenses

We are confident that the Rincon team will continue to meet the needs of the City, and we welcome an opportunity to meet with you to further discuss our proposal. Please do not hesitate to contact us if you have questions about this proposal or require additional information.

Sincerely,
Rincon Consultants, Inc.





Kimiko Lizardi | Principal
klizardi@rinconconsultants.com
Contact for Clarification

Rich Daulton | Vice President
rdaulton@rinconconsultants.com
Authorized to Contractually Obligate the Company

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1 Project Approach

1.1 Focused General Plan Update Overview

The City is in the process of preparing the 2023 – 2031 Housing Element update. In accordance with State law, the City must also update its Safety Element. The Housing Element is anticipated to trigger additional rezoning requirements and consistency updates to the Land Use Element. In addition, the City's General Plan has not been updated since the 1990s. Since then, new state legislation and other local and regional changes have occurred. This Focused General Plan Update is intended to target the most pressing needs for compliance with State law and addressing future community needs associated with planning for the City's 6th Cycle RHNA. The elements of the General Plan that are being updated as part of the Focused General Plan Update are the Land Use Element, Transportation Element and Health and Safety Element. The integration of land use, transportation, safety and housing is critical in achieving greenhouse gas (GHG) reductions and planning for resilient communities. Therefore, this proposal recommends that the City take a holistic approach by updating the Land Use, Transportation and Health and Safety Elements in conjunction with a Climate Action and Adaptation Plan as further discussed below. In addition, this Focused General Plan Update includes the necessary regulatory updates to the City's Zoning Ordinance and Zoning Map to ensure compliance with State housing law.

The proposed work plan has been organized into two Phases including the necessary environmental reviews that will allow each Phase to occur independently. However, the proposed schedule assumes that the phases will partially overlap to allow for a more efficient overall schedule. Phase II will be initiated as the planning work on Phase I element preparation is nearing completion and the corresponding environmental work is being initiated. The schedule is described in further detail in Section 3.

1.2 Phase I – Focused General Plan Update

Based on input provided during the May 17, 2023 City Council hearing and follow up discussions with City staff, the first phase of the work plan prioritizes the completion of necessary rezonings to support compliance with RHNA requirements and the rezoning deadlines mandated by AB 1398. The Housing Element is currently in process. This proposal and schedule assumes that the City will be subject to AB 1398 and a one-year rezoning deadline rather than a three-year rezoning deadline.

To attempt to meet a one-year rezoning deadline, Phase I work will need to begin immediately upon authorization to proceed. We recommend that Phase I include the following components:

- Project Initiation and Coordination
- Targeted Community Engagement
- Zoning Ordinance and Map Amendments
- Objective Design and Development Standards – site development only
- Land Use Element Consistency Updates
- Program EIR
- Public Hearings

Each of these components is described in further detail in Section 2 Scope of Work, but the following are key recommendations for Phase I:

- Ensure a streamlined process to meet the rezoning deadline by developing a targeted community engagement approach, noting that the CEQA process will drive a significant portion of the overall Phase I schedule.
- Focus Phase I Objective Design and Development Standards on key site design and development standards. Address architectural design and development standards during Phase II, allowing more

time to engage with stakeholders, to contextualize place types and provide a more thorough review of architectural and neighborhood design elements including historic districts.

- Conduct a thorough CEQA analysis in Phase I to adequately cover the rezonings, zone map amendments and land use changes. Allows for a streamlined CEQA approach in Phase II.

Legislative Triggers – Phase I

AB 1398 – passed in 2021, changes the requirements of the Housing Element regarding the timeline for rezoning. Housing Elements are due within 120-days from the statutory deadline. This 120-day period is commonly known as the "grace period". Prior to AB 1398, the Housing Element must be adopted within the grace period or jurisdictions would be subject to a four-year mid-term update requirement. AB 1398 eliminated the four-year, mid-term penalty and instead focuses on the need for jurisdictions to complete their necessary rezonings to accommodate the RHNA as soon as possible. Under AB 1398, a jurisdiction must achieve substantial compliance status within the grace period to have three years to complete the rezoning. If the County is unable to achieve compliance status within the grace period, it only gets one year to complete the necessary rezoning for RHNA.

SB 116/SB1333 (No Net Loss) – cities and counties must demonstrate availability of land zoned to accommodate the RHNA at each income level. If a project is approved on a housing element site with either fewer units or a different income category, cities and counties must either make written "no net loss" findings or identify and make available within 180 days other sites zoned at a density suitable for lower or moderate-income housing.

SB 35 and Housing Accountability Act (HAA) – HAA applies to all multifamily housing developments and certain mixed-use projects, not just affordable projects. If a housing project complies with all "objective" general plan, zoning and subdivision standards, it may only be denied or have density reduced if a city or county can find that the project would have a "specific adverse impact" on public health and safety. Objective standards are those that involve "no personal or subjective judgment by a public official and uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant…and the public official prior to submittal". SB 35 allows a ministerial permit instead of a discretionary review for projects meeting affordability requirements.

Zoning for Housing (Various)– there have been a variety of bills requiring updates to the zoning code. The specific updates needed in Pacific Grove will be identified through the Housing Element Update process. However, the following is a typical list of ordinance topics impacted by recent legislative updates:

- Residential density allowances
- Residential uses
- Administrative provisions
- Parking standards
- Density bonus provisions
- Accessory dwelling units
- Large residential care facilities
- Emergency shelters
- Low barrier navigation centers
- Employee housing
- Definitions
- Transitional and Supportive Housing
- SROs

1.3 Phase II – Focused General Plan Update

In accordance with recent state law, the City of Pacific Grove must update their Safety Element. During Phase II, Rincon will update the Health and Safety Element along with concurrent updates to the Transportation Element and community character portions of the Land Use Element. In addition, Phase II will include the preparation of architectural objective design and development standards.

The Phase II work program is anticipated to begin as the Phase I planning work is nearing completion and the environmental phase of the work is being initiated. Phase II includes the following key components:

- Project Initiation and Coordination
- Community Engagement
- Existing Conditions Memorandums and Executive Summary
- Objective Design and Development Standards – architectural/community character
- Focused General Plan Updates
    - Preliminary Recommendations
    - Land Use Element
    - Transportation Element
    - Safety Element
- CAAP (Optional)
- Addendum to the Program EIR
- Public Hearings

Each of these components is described in further detail in Section 2 Scope of Work, but the following are key recommendations and assumptions for Phase II:

- Land Use Element updates during Phase II are assumed to be urban design/community character in nature and will create policy consistency with the objective design and development standards. Land use changes are not anticipated during Phase II.
- Phase II includes the CAAP, which is currently listed as optional.
- An EIR Addendum will be the appropriate level of CEQA review for Phase II.

Legislative Triggers – Phase II

Safety Element:

- **SB 1035** – requires a jurisdiction's safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city and county that was not available during the previous revision of the safety element.
- **SB 379** – requires all cities to include climate adaptation and resiliency strategies in the safety elements of their general plans beginning January 1, 2017. The bill requires the climate adaptation update to include a set of goals, policies and objectives for their communities based on the vulnerability assessment, as well as implementation measures
- **SB 99** – requires a local government to review and update the safety element during the next revision of the housing element (on or after January 1, 2020) to identify residential developments in hazard areas that do not have at least two emergency routes.
- **AB 747** – requires a local jurisdiction to evaluate evacuation routes for their capacity, safety and viability under a range of emergency scenarios in the safety element upon the next revision of the Local Hazard Mitigation Plan.

Transportation Element:

- **SB 743** – requires OPR to establish "non LOS" criteria for determining significance of transportation impacts within transit priority areas. Requires projects shift evaluation of transportation impacts from LOS to vehicle miles traveled (VMT).
- **AB 1358** (Complete Streets Act of 2008) – requires Circulation Elements to include a plan for a balanced, multi-modal transportation network to meet the needs of all modes of transportation and users.
- **Government Code Section 65302(b)** – by statute the circulation element must correlate directly with the land use element

Climate Change:

- **SB 32** – Requires California to achieve a statewide reduction in GHG emissions of 40 percent below 1990 levels by 2030.
- **AB 1279** – Establishes a legally binding requirement for California to achieve and maintain carbon neutrality no later than 2045.
- **SB 1020** – Requires that entities which provide electricity to Californians supply 90 percent clean energy by 2035, 95 percent clean energy by 2040, and 100 percent clean energy by 2045.

**Note: this is intended to highlight key legislative triggers and is not intended as a complete list of all applicable legislation*

1.4 Climate Action and Adaptation Plan

The City Council unanimously supported the CAAP Concept Review in November 2022. As a member of the U.S. Conference of Mayors' Climate Protection Agreement, a CAAP will provide the City with a formal set of strategic and actionable goals that build from the City's existing climate action projects. The CAAP Concept Review expresses the City's interest in developing a CAAP that will include a greenhouse gas (GHG) inventory, specific GHG emission reduction targets, and climate actions (e.g., transportation, energy, community outreach) designed to meet the identified targets. The CAAP would also build from existing vulnerability assessments and adaptation plans (e.g., City of Pacific Grove Climate Change Vulnerability Assessment, Shoreline Management Plan) to establish specific climate adaptation and restoration actions that will collectively advance equity, resiliency, sustainable ecosystems, and cultural preservation across the City.

Rincon has developed an optional scope of work as part of Phase II below that will allow the City to accomplish these objectives through the development of a CAAP. Preparing a CAAP will better position the City of Pacific Grove to take advantage of the unprecedented investment by the state of California in climate mitigation and adaptation related planning and project work. The CAAP will identify the top priorities the City could take to increase their resilience to climate impacts, including power outages, coastal impacts, wildfire risk, and extreme weather events, as well as steps to reduce carbon emissions. Because the state has adopted ambitious greenhouse gas reduction goals, it helps to move towards those goals as soon as possible to reduce costs related to late adoption of strategies.

2 Scope of Work

Task 1 Project Initiation and Coordination

Given the scope of this effort and an understanding that City staff have limited resources, exceptional project management and management accessibility will be critical to the success of this program. Consequently, we have developed a robust project management team to ensure that expectations regarding communication, quality, and timeliness are met.

This involves directing the consultant team and coordinating with the City and other stakeholders over the course of the project. It includes internal oversight of staff as well as management of the public outreach, technical, planning and environmental review tasks included within the work program. We plan to provide City staff with regular monthly progress reporting, on task progress, schedule and budget with our monthly invoicing.

Project Management Team

 **Kimiko Lizardi** Principal-in-Charge	• Project and Contract Oversight • QA/QC • Participate in regular calls and check ins
 **Della Acosta, AICP** Project Manager	• Manage and review consulting staff and work products (deliverables, deadlines, budgets, and scope) • Biweekly check in calls • Monthly invoicing and progress reporting
 **Denise Vo** Deputy Project Manager	• Support day to day management of the consulting staff and work products (deliverables, deadlines, budgets, and scope) • Participate in regular calls and check ins as needed • Task lead on Zoning and Community Engagement
 **Megan Jones** CEQA Lead/Local Strategic Advisor	• QA/Q/C • Oversight of CEQA • Local advisement and strategic support • Participate in calls and check ins as needed

All members of the Project Management Team will be involved in the quality assurance and review of all tasks and work products within this work program. The budget for that quality control is included in the individual task budgets. Additionally, this group provides leadership and guidance to overcome or take advantage of any challenges or opportunities presented during the project's duration and will serve as partners with Pacific Grove staff through the life of this project.

1.1 Kickoff Meeting and City Tour

Upon authorization to proceed, Rincon will facilitate a kickoff meeting with City of Pacific Grove staff. The purpose of the meeting is to discuss data needs, initial community issues and opportunities, set project expectations, and explain our proposed approach to the various components of the work program.

The kickoff meeting is envisioned as a two-hour meeting. The Rincon team will work with the City to achieve the following objectives:

- Clarify the work program, schedule and communication protocols
- Early identification of data sources and needs
- Discuss staff expectations and community issues
- Refine the community engagement strategy and obtain initial input for a key stakeholder list

Project SharePoint Site

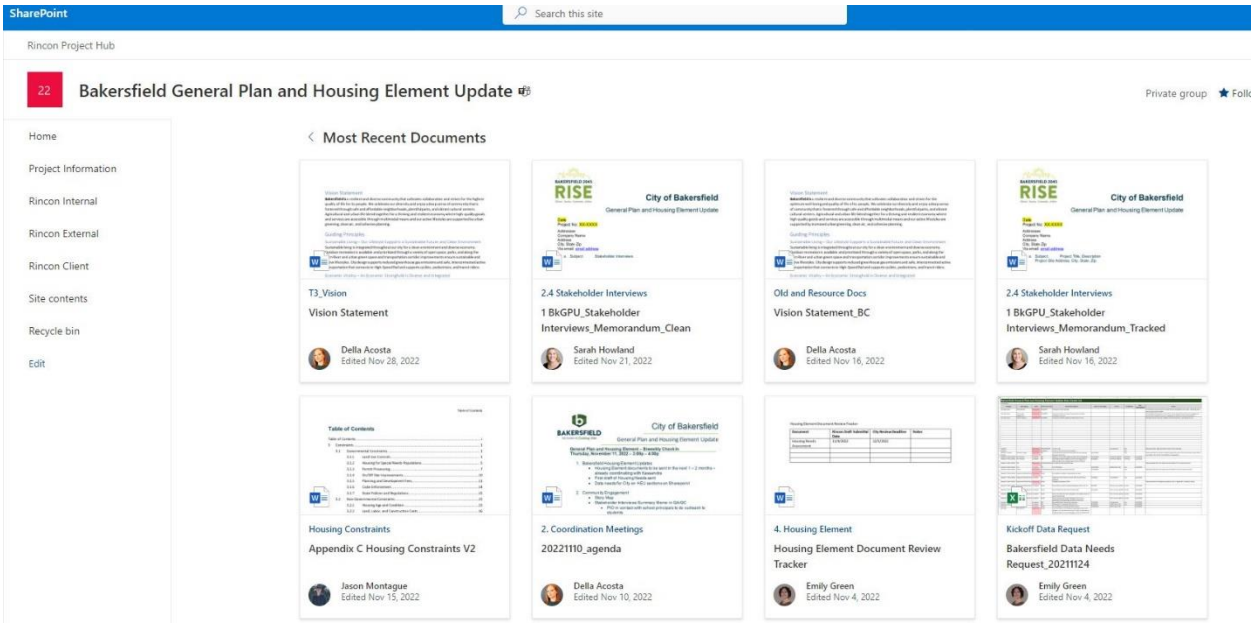
To manage large programs, Rincon utilizes a project SharePoint site that allows for the storage of information as well as collaborative documents and materials. The Project SharePoint is simple and easy-to-use and is also secure. Access to this site will only be available to members of the project team and will be managed by the Project Management Team. Use of the SharePoint will prevent confusion of various document versions being sent via email or uploaded to a simple FTP site. The ability to organize documents by component or document is helpful for programs like this with various components being worked on simultaneously.

Documents would be organized by the major components of the Work Plan and resource libraries can be created to support sharing of project photos, maps and other information.

Also, a real-time schedule would be available so all team members would be aware of upcoming project deadlines and any changes to the overall work program schedule. The Project SharePoint is highly flexible and can be customized for the needs of the City and team. A draft and quick tutorial of the SharePoint Site will be presented during Task 1.1: Kick Off Meeting and City Tour

Following the discussion, the consultant team will tour key areas in Pacific Grove. The tour may consist of residential neighborhoods, Downtown, Central Eardley, Lighthouse Avenue area (west of Downtown), Forest Hill area, and other opportunity areas and/or sites that should be considered as part of the Focused General Plan Update.

The tour will provide an opportunity to visit housing sites, transportation corridors, existing neighborhoods and commercial and industrial districts, and major City amenities and assets. Rincon assumes that City staff will provide a map highlighting the areas to be visited. The City-wide tour is envisioned as a half-day (4-hour) event. The City Tour will inform both Phase I and Phase II of the Focused General Plan Update.



1.2 Document Gathering

Rincon will work with the City to develop a comprehensive list of documents and data necessary for the Focused General Plan Update. The data list will include necessary GIS map files, existing City documents, and any other materials that will be used to support the Focused General Plan Update. Following delivery of these materials, Rincon will review the materials provided and identify any gaps in data or materials that will require additional research or coordination to obtain.

1.3 Scope of Work and Schedule Refinement

The kickoff meeting provides the team with an opportunity to further refine the scope of work and project schedule. Following the kickoff meeting, we will create a detailed project schedule highlighting major milestones, deadlines, deliverables, and meetings. The schedule will be reviewed and updated as necessary as the project progresses.

Rincon will provide regular check-ins and provide updates on schedule in conjunction with our monthly invoicing. If we proactively identify project issues that may cause schedule delays, the Project Manager will bring those to the attention of staff, identify potential solutions and coordinate with staff as to the best course of action.

1.4 Document Set Up

Early in the project, Rincon will work with City staff to create a document template package. The template documents will be used by the team to ensure consistency in the look and feel of the documents, including any presentation materials and planning documents. Rincon will also work with City staff to address how the documents will interact with the existing General Plan, Zoning Code and other existing Pacific Grove plans. This task assumes that City staff will provide any branding guidelines, including any color or font guidelines for reference.

1.5 Project Coordination

Our project management team will be in continuous coordination with City staff in an organized and efficient manner. This task provides for overall project management, coordination of team members and tasks, preparation of project updates, consultation with City staff, team meetings, and monthly invoices. It includes conference calls with City staff approximately every other week as needed during active months throughout the project to review tasks in progress, share information, and review key milestones and

deliverables. These meetings may shift to monthly or be handled through email communication when biweekly meetings are not needed. Our project coordination tools include the use of Microsoft SharePoint, which enables our team to seamlessly share documents and deliverables, while staying high touch with City staff. Since communication is a top value for our team, additional communication with the City team by e-mail and phone will occur throughout the project, independent from the scheduled calls.

Assumptions

- The project management budget was established based on the assumed schedule (15 months) for Phase I. Thus, additional time and budget will be required if the project schedule is extended by the City.
- Monthly progress reports will be provided to City staff. It is assumed that City staff will be responsible for any monthly progress reporting to the City Council or Planning Commission.

Deliverables

- Kickoff meeting agenda and data needs list (electronic format)
- Memorandum/meeting notes from kickoff meeting (electronic format)
- Observation notes and photographs from City tour will be incorporated in subsequent deliverables
- SharePoint project site
- Project schedule (electronic format)
- Monthly progress reports to accompany invoicing
- Document template package
- Up to 30 bi-weekly calls with City staff (detailed meeting assumptions are provided in Section 4)

Task 2 Targeted Community Engagement



Even though Pacific Grove is a small coastal community, there are still varying demographics found within it. The community engagement strategy will be developed and conducted so that a variety of voices in the community are represented. The Rincon team will initiate a discussion regarding the community engagement strategy at the project kick-off meeting and will be prepared with a set of questions to ask the City regarding their engagement history, challenges and goals. As part of the Housing Element Update, the City is conducting a significant amount of community outreach to support the update process. The City has been successfully incorporating online tools such as Balancing Act which is an interactive housing site and density activity that engages the community in developing solutions. Our approach will ensure we learn from the City's recent engagement activities, identifying successes and any lessons learned on techniques or approaches that may not have worked so well within Pacific Grove.

One of our first steps will include development of a Community Engagement Plan. Our scope of work includes recommendations for a targeted community engagement strategy and activities that, based on our experience in other similar jurisdictions, have worked well and that will align with the Phase I project schedule. This is intended to provide an initial understanding of potential scope and costs, but we will work closely with City staff to customize and establish a Community Engagement Plan that best fits the needs of Pacific Grove within the allocated budget. We recommend that the Community Engagement Plan be presented to the Planning Commission by City staff prior to initiating any engagement activities. This will be

an important initial step in the process and timely approval will be required in order to maintain the overall project schedule.

2.1 Community Engagement Plan



The Rincon team understands the critical importance of community engagement and outreach. Rincon will develop a systematic outreach and engagement strategy that outlines a transparent process, identifies key stakeholders and populations historically underrepresented, strengthens existing bridges between residents and decision makers and ensures community ownership of the updated element and policies moving into the future.

The Rincon team will develop a Community Engagement Plan for Phase I that clearly identifies the engagement activities, associated phase of the project, target audience/stakeholders, responsibilities for carrying out the engagement (including City staff and/or members of the Rincon team), and reporting for notifications and participation in community engagement activities.

As stated in the Cover Letter, our approach to Community Engagement leverages City staff resources and relationships to support a robust community engagement effort.

This task assumes City staff will conduct two rounds of review of the Community Engagement Plan and upon receipt of consolidated City comments in tracked changes, the Rincon team will prepare a Final Community Engagement Plan for City staff to share with decision makersand to post to the project website. Approval of the Community Engagement Plan will be a key milestone in the project schedule.

2.2 Online Engagement

The post-pandemic era has taught the planning industry and our firm a lot about online engagement. Virtual meetings and online engagement are not a panacea for all-inclusive community engagement, but communication through online and social media has transformed drastically in the past several years. In particular, how information is disseminated and received by the public has changed. Online media tools are powerful, cost-effective and increasingly becoming the expected norm for how information is communicated. For the Pacific Grove General Plan, a variety of tools will be used to support online engagement, as described below.

2.2.1 Website Content

The Rincon team will support City staff with narrative content and updates for the City's General Plan webpage. This is anticipated to include the following:

- Focused General Plan Update overview or About
- Community Engagement Plan
- Links and introductions for community engagement events
- Brief FAQ – as needed

2.2.2 Micro Surveys

The Rincon team will develop up to two micro-surveys (using SurveyMonkey or similar application) intended to both generate interest in the Focused General Plan Update and solicit community input on priorities. The survey link would be shared by the City on their website, through social media, existing City list servs, at

standing community events and other communication methods. Following each online survey closing, an accompanying summary report will be created with numerical breakdowns of responses, charts and graphs where applicable, and narrative descriptions of the qualitative results.

The Rincon team will provide City staff with an initial outline of each survey prior to developing a draft version of the survey. This will allow early engagement with City staff on the format and ensure the team is in agreement before developing detailed content. This task assumes one round of City staff review on each draft survey, and upon receipt of consolidated City comments, the Rincon team will prepare a final version of the survey for posting to the City's website.

2.3 Virtual Focus Group Meetings

Since Phase I will focus primarily on zoning and creating internal consistency with the Land Use Element, these meetings are intended to support more targeted meetings with specific groups that will help inform the rezoning and the Objective Design and Development Standards. These meetings are assumed to be virtual and could include key individuals from various departments, appointed and elected officials as well as community stakeholders. This task includes up to 3 virtual focus group meetings with no more than 12 individuals, lasting approximately 2 hours, and the deliverables for this task include the preparation of agendas, Power Point presentations and a summary of results from the discussions.

2.4 Virtual Stakeholder Interviews

The Rincon team will prepare for and conduct a series of virtual, small group and/ or one-on-one interviews to discuss the Focused General Plan Update with local organizations, groups, and stakeholders. This includes City staff that administers zoning, local developers and architects, property owners whose properties are in areas of change, and community-based organizations or special-interest groups that represent housing needs and issues that may be relevant to address through the zoning code. It is assumed that City staff will collaborate with Rincon staff to generate a comprehensive list of stakeholders to interview. The interviews will be used to identify key issues to be addressed and to allow the consultant team to understand the desired improvements and strategies from these local leaders. This task assumes up to 10 virtual stakeholder interviews lasting approximately one hour, and the deliverable for this task includes a memo summarizing results of the interviews.

2.5 Workshops

Formal community workshops are a great way to engage the public and provide them with an opportunity to discuss their priorities and ideas. These workshops are anticipated to occur at key milestones as further described below:

- Workshop #1 (virtual) – Introduction to the Focused General Plan Update and Rezoning
- Workshop #2 (in-person) – Objective Design and Development Standards
- Workshop #3 (in-person)– Draft Zoning Updates, Land Use Element Updates and Program EIR

Project fact sheets, comment cards, and graphic displays will be produced. These materials will be reviewed and approved by City staff prior to being used at these meetings. City staff is assumed to provide logistical support for the workshops, including securing venues, distributing notifications and assisting with the staffing for each of the events.

2.6 Study Sessions/Public Meetings

This task provides a budgeted allowance for the Rincon team to attend public meetings with the Planning Commission, Architectural Review Board and/or City Council. This task provides an allowance for two Rincon team members to join up to two virtual study sessions/public meetings. Rincon will prepare PowerPoint presentations for each of these meetings.

2.7 As Needed Engagement (Optional)

This task provides a budgeted allowance for additional community engagement support by the Rincon team. This could be used to support additional meetings, educational videos, preparation of engagement toolkits to support engagement completed by City staff or other ambassadors, office hours, pop-up events or other types of engagement. We recommend that engagement provided under this task be provided on a time and materials basis and as mutually agreed upon with City staff. Any additional engagement requests should be carefully reviewed for alignment with the overall schedule.

Menu of Additional Engagement

The following are other community engagement activities and services that the Rincon team could help support and/or that we recommend City staff lead through this process.

- Promotional Materials (social media, newsletters, ads)
- Educational Videos
- Additional Community Workshops
- Walking Tours
- Office Hours
- Pop Up Events
- Translation and Interpretation Services
- Managing or creating an email database

Assumptions

- The targeted community engagement tasks were identified and developed to support the needs for Phase I and the anticipated project schedule.
- The scope for Community Engagement assumes that City staff will be leveraged to provide additional engagement support throughout the Phase I process as discussed during the Community Engagement Plan.

Deliverables

- Draft and final Community Engagement Plan (in electronic format)
- Outline, draft and final micro-surveys (up to two total)
- Survey results in summary report format (up to two total)
- Virtual attendance at up to 3 focus group meetings, includes supporting facilitation and providing presentation materials (e.g., PowerPoints, handouts), agenda topics, and supporting note taking
- Facilitation of up to 10 virtual stakeholder interviews, including the development of stakeholder interview questions with review by City staff and memo summarizing results
- Organize and attend up to 2 in-person and up to 1 virtual workshop, including workshop materials to be finalized at the time of planning, and workshop summary memos
- Attend up to 2 virtual study sessions

Task 3 Zoning Ordinance Amendments

3.1 Zoning Map Amendments

Rincon will work City staff to identify areas that will require map changes to support implementation of the Housing Element RHNA and prepare an Administrative Draft City Zoning Map. This task includes preparation of a Screencheck, Administrative, Public Review and Public Hearing Draft of the Zoning Map. Rincon will prepare each draft upon receipt of one consolidated set of comments from City staff. This task does not include notifications to property owners or additional hearings that may be needed beyond those included in Task 6.

Zoning Map Adoption

Adoption of an updated citywide Zoning Ordinance requires general notice and public hearing similar to any citywide action, such as adoption of the General Plan. However, the Zoning Map is a different consideration. Any zoning change effecting a specific parcel requires notice to the parcel owner and owners of parcels within 300 feet.

3.2 Zoning Text Amendments

3.2.1 Objective Design and Development Standards

WRT will evaluate current zoning standards to determine if they can achieve density targets established in the Housing Element and if they adequately support the City's overall goals for development, whether they are objective to facilitate a streamlined process to comply with State regulations, and if they adequately address the scale and character of future development in the City.

Using their extensive experience with housing types and intrinsic limits to density associated with each, WRT will apply precedent-based design-density relationships to evaluate existing standards and describe provisions that need to be updated to meet Housing Element requirements.

WRT will "fit test" density assumptions in a set of design studies using prototypical sites. The studies will be accompanied by plan view and 3D illustration showing massing, entry orientation, and parking configurations. A total of two studies on up to four representative sites each are budgeted.

Architectural Character

Fenestration patterns and other features suggestive of architectural character can be added as an additional service and would be based on WRT's preliminary understanding of Pacific Grove characteristics.

3.2.2 RHNA Residential/Mixed Use Rezoning and Housing Program Implementation

The Rincon team will meet with City staff at the onset of the Zoning Ordinance Amendments task to discuss the anticipated changes to the Zoning Ordinance. Based on direction received from City staff, the Rincon team will prepare a checklist of zoning changes for the team to reference through the update process.

The Zoning Ordinance Amendments are anticipated to include the following:

- Residential and Mixed Use rezoning – amendments to the residential zones and mixed use zones to address the density requirements and associated development standards to implement the Housing Element program recommendations. These changes may include modifications to standards such as use, height, setbacks, lots sizes, and parking.
- Administrative provisions – amendments to permitting requirements to support residential streamlining requirements.

- Affordable housing requirements – amendments to address changes to requirements for supportive, transitional, employee housing, density bonus provisions, single room occupancy (SRO) provisions, standard for large residential care facilities and relative incentives.

3.2.3 Preliminary Drafts and Public Hearing Draft Zoning Ordinance

This task includes preparation of the preliminary drafts and public hearing draft of the Zoning Ordinance text amendments. Preliminary drafts will be provided in track changes. The following drafts are included in the scope of this task assuming one round of consolidated comments are provided by City staff for each draft:

- Screencheck Draft for City Staff Review
- Administrative Draft for City Staff Review
- Public Review Draft
- Public Hearing Draft

Assumptions

- City staff is responsible for notifications to property owners
- The Consultant team participation in public hearings is as provided in Task 6.
- Preparation of the Objective Design and Development Standards in Phase I does not include architectural standards.

Deliverables

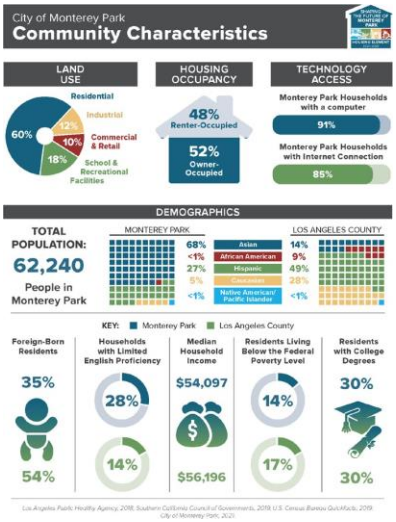
- Screencheck, Administrative, Public Review, Public Hearing Drafts of Zoning Map
- Zoning Ordinance Amendments Matrix
- Two fit-test studies on up to 4 sites
- Screencheck, Administrative, Public Review, Public Hearing Drafts of Zoning Text Amendments

Task 4 Land Use Element Consistency Updates

4.1 Existing Land Use Conditions and Future Development Memorandum

The land use memorandum will support the consistency updates to the Land Use Element as well as conversations with City staff, stakeholders and the community regarding the targeted land use element updates. The memorandum will include a description of the following:

- Historic and current growth and development patterns
- Citizen initiatives and relationship to current Housing Element law – update to describe more current conditions
- Planning framework – Specific Plans or other plans that may be impacted by land use changes
- Existing Land Use - updated based on available existing land use data
- Residential Unit Development Potential – update for consistency with the Housing Element Sites and Rezoning





This will include the creation of updated maps to ensure a clear understanding of the general plan study area, land use designations, existing land uses and housing opportunity/change areas. The prospective land use changes will be guided by the 6th Cycle Housing Element update. The Rincon team will prepare a draft memorandum for City staff review and a final memorandum.

4.2 Land Use Element Updates

This task includes updates to the Land Use Element to ensure consistency with the Housing Element and Zoning Ordinance Amendments. This includes updates to the following Land Use Element sections:

- Citizen initiatives and relationship to current Housing Element law – update to describe more current conditions
- Existing Land Use - updated based on available existing land use data
- Residential Unit Development Potential – update for consistency with the Housing Element Sites and Rezoning
- Land Use Map, Categories and Standards – update for consistency with the Housing Element Housing Sites and Rezoning
- Targeted goal and policy updates – update goals and policies as needed to support consistency with Housing Element programs
- Phase I updates are not anticipated to include substantive changes to goals and policies pertaining to:
    - Economic Vitality and Community Character of Commercial Areas
    - Nonconforming Uses
    - Substandard Vacant Lots
    - Neighborhood/Community Character

The following drafts are included in the scope of this task assuming one round of consolidated comments are provided by City staff for each draft:

- Screencheck Draft for City Staff Review
- Administrative Draft for City Staff
- Public Review Draft
- Public Hearing Draft

Assumptions

- This task assumes that Rincon will rely on available data to update the existing land uses.
- This scope does not include an analysis of nonconforming uses nor a land use capacity analysis.
- Land use changes will be focused on those necessary to support consistency with the Housing Element update.

Deliverables

- Draft and Final Land Use Conditions and Future Development Memorandum
- Screencheck, Administrative, Public Review, Public Hearing Drafts of Land Use Element Update

Task 5 Environmental Compliance (Program EIR)

As described under Section I above, Phase 1 of the Focused General Plan Update (Phase 1 GPU) will prioritize Zoning Ordinance and Map amendments to comply with State RHNA requirements and AB 1398 rezoning mandates. Phase I will also include the necessary Land Use Element updates and Objective Design and Development Standards.

Rincon recommends preparation of a Program Environmental Impact Report (EIR) for the Phase 1 GPU. An EIR is advisable for the following reasons:

- Potential for Significant Impacts – although the Phase 1 GPU would be limited in scope, the extent of impacts cannot be known until a thorough analysis is conducted. There is a reasonable possibility that the project may result in significant environmental impacts, including to transportation (VMT, multimodal, and transportation safety), utilities and service systems (water supply), and aesthetics (visual character). Preparation of an EIR will ensure a comprehensive evaluation and disclosure of all significant impacts.
- Timeline – commencing with an EIR allows for upfront, comprehensive analysis, preventing potential delays associated with transitioning from an Initial Study-Mitigated Negative Declaration (IS-MND) to an EIR if significant impacts are identified.
- Transparency and Defensibility – an EIR involves a more extensive and detailed evaluation of potential environmental impacts and facilitates a more inclusive and participatory public process, thereby improving transparency. In addition, due to the fair argument standard applicable to an IS-MND, opponents can legally challenge it by presenting a reasonable argument supported by substantial evidence. Considering public interest in the GPU, preparing an EIR that would be subject to a higher legal standard of review would provide additional defensibility, which would also guard against delays to implementation of Phase 1 of the GPU.
- Alternatives – CEQA Guidelines Section 15126.6 mandates that an EIR must evaluate alternatives. Analyzing alternatives offers the benefit of exploring different options to avoid or minimize potentially significant environmental impacts and allows the public and decision-makers to consider and compare alternatives, and ultimately make a more informed decision.
- Tiering – preparing a first-tier EIR for the Phase 1 GPU establishes a solid foundation that can be utilized to streamline the Phase 2 GPU environmental review. Tiering from a Program EIR expedites future environmental review by leveraging the comprehensive analysis and findings of the Program EIR, allowing for subsequent review to focus on project-specific impacts and avoiding duplicative studies.

The EIR will be a Program EIR pursuant to State CEQA Guidelines Section 15168. Although the legally required contents of a Program EIR are technically the same as those of a Project EIR, Program EIRs contain a broader discussion of impacts, alternatives, and mitigation measures than a Project EIR. Use of a Program EIR is intended to provide an opportunity to consider broad policy alternatives and program-wide mitigation measures with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. The Program EIR will address all components of the Phase 1 GPU, with a focus on

zoning modifications required to implement the Housing Element, and associated Land Use Element updates. Although the focus will be on proposed rezonings, the EIR will encompass the entirety of land use development in the City limits through the GPU horizon year.

5.1 Phase 1 CEQA Kickoff Meeting

Immediately following contract execution, Rincon will facilitate a CEQA kickoff meeting with City staff. This meeting will serve as a forum to review and confirm study objectives and establish an operational protocol. The goals of the meeting will be to finalize the CEQA scope (Task 5) and discuss refinements to the project schedule.

The kickoff meeting will also allow the City/consultant team an opportunity to discuss the approach to the environmental evaluation and potential Phase 1 GPU alternatives. Community concerns relevant to the CEQA analysis that have surfaced to date will be discussed. We will also have an opportunity to confirm the cumulative impact analysis approach. Rincon's principal in charge and project manager will attend the meeting virtually, which is anticipated to last up to 1.5 hours.



5.2 EIR Notice of Preparation

Rincon will prepare a draft Notice of Preparation (NOP) for City staff to review. The NOP will include all required details including project description, location, dates of public review and dates/location of the public scoping meeting. Rincon will submit a draft NOP in Microsoft Word for City review. Upon receipt of one round of consolidated comments on the draft NOP, Rincon will prepare a final PDF copy of the NOP for City staff to post on its website and for distribution to public agencies. Rincon will prepare an NOP distribution list for the City to review. It is assumed that the City will be responsible for any direct mailing of hard copies of the NOP. Rincon will review and make suggestions regarding the list. Rincon will be responsible for filing the NOP with the State Clearinghouse/Office of Planning and Research and Monterey County Clerk.

The NOP and all correspondence received in response to the NOP will be attached as an Appendix to the Draft EIR. A finalized scope for the Draft EIR will be defined after all comments on the NOP have been received. Because we anticipate that the Phase 1 GPU EIR will address all issues on the environmental checklist, we do not propose to prepare an initial study.

5.3 EIR Project Description

Rincon will prepare the EIR project description. Organization of this information is critical, since it forms the basis for environmental evaluation under CEQA. The project description for Phase 1 will rely upon identified zoning modifications under the Housing Element Update. It is anticipated that this will entail fewer than ten sites, including a mix of developed and undeveloped sites. This section will also describe the proposed Land Use Element updates, which are anticipated to cover the entirety of the city, but remain focused on residential land uses. This section will include a description of the project objectives and required permits and discretionary approvals. The project description will include textual, tabular, and up to six graphics to fully describe the program and form a basis for the environmental analysis. The project description will be submitted to the City in Microsoft Word format, and we will address one round of consolidated comments from the City. While General Plan policy wording may be modified during refinement of the General Plan, this CEQA scope assumes that the buildout projections and land use pattern will not change following City acceptance of the project description.

5.4 Scoping Meeting

Rincon will facilitate a public and agency scoping meeting associated with the release of the NOP. The Scoping Meeting will be held during the 30-day NOP review period to introduce the community and responsible agencies to the EIR process and obtain input on the EIR scope of work. All agencies and interested parties would be invited to attend the scoping meeting, and it is assumed that separate individual meetings would not be required. It will include a brief presentation, followed by public comment and input from meeting attendees. Rincon will prepare a summary of all input gathered, which will be included in the Draft EIR along with any written public comments received during NOP comment period. Rincon will coordinate with the City regarding the City's preferred virtual platform or physical venue, which Rincon will organize. For the purposes of this scope, we have assumed the scoping meeting will be held in person, with virtual attendance as an option. Notice of the scoping meeting would be provided in the NOP.

5.5 AB 52 and SB 18 Consultation Assistance

Under AB 52 (California Government Code Section 21080.3.1[a]) and SB 18 (California Government Code Section 65352.3 and 65352.4), the City, as the CEQA lead agency, is required to begin consultation with California Native American Tribes that are traditionally and culturally affiliated with the Plan Area, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report. Rincon will request an

AB 52 and SB 18 consultation list from the NAHC and will assist the City with consultation under AB 52 and SB 18 by providing the City with letter templates, checklists, and detailed instructions to help ensure meaningful consultation with interested Native American groups. As of June 2023, NAHC list requests are being fulfilled within 4+ weeks.

After receipt of letters, Native American Tribes have 30 days to reply to a request for consultation under AB 52 and 90 days under SB 18; the 30-day wait period for AB 52 is subsumed in the wait period for SB 18. This task includes Rincon participation at up to two virtual one-hour meetings with the City and Tribal governments.



5.6 Administrative Draft EIR

Rincon will prepare an Administrative Draft EIR (ADEIR) in compliance with CEQA requirements and based on the project description approved by City staff (completed under Task 5.3). Consistent with CEQA requirements, the EIR will be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the General Plan need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. The document will be a program EIR that considers the broad policy implications of the proposed General Plan. To that end, it will focus on the macro-level impacts associated with Phase 1 GPU buildout and whether and how proposed Land Use Element policies address such impacts. To the extent practical, site-specific information will be provided for the proposed rezoning sites, to facilitate future streamlining for residential development on those sites.

The ADEIR will comprise the following sections.

Executive Summary

The EIR will contain a summary of the Phase 1 GPU and associated environmental consequences. This section will include the following:

- A discussion of the Phase 1 General Plan objectives;
- A brief description of the proposed zoning changes and associated Land Use Element updates;
- A summary of the environmental setting for the Planning Area;
- A summary of impacts;
- A summary of mitigation measures (mitigating policies);
- A discussion of alternatives considered, and identification of the environmentally superior alternative among those studied; and
- Areas of controversy, and issues remaining to be resolved.

Introduction and Environmental Setting

These required introductory sections will lay the groundwork for and summarize the substantive analysis to follow. The introduction will describe the purpose and legal authority of the EIR, the scope and content of the EIR, a discussion of lead, responsible, and trustee agencies, and a synopsis of the General Plan process. The environmental setting will provide a general description of the existing geographic character of the City of Pacific Grove. The environmental setting will also contain a discussion of the approach to the cumulative impact analysis.

Project Description

The Project Description section will consist of the project description prepared in Task 5.3.

Analysis, Impacts, and Mitigation Measures

Each environmental discussion will include the following:

- Setting
- Impact analysis
- Mitigation measures
- Level of significance after mitigation

The discussion for each issue area will begin with the setting, which will describe existing conditions relevant to the topic and provide the groundwork for impact analysis. Sources will include documents and studies prepared in support of the Housing Element and Phase 1 GPU, relevant environmental documents prepared during the last five years, and data provided by the City.

The impact analysis will include a discussion of the methodology used to quantify or determine impacts and the criteria for judging significance. Where practicable, impacts will be quantified. If existing data does not allow definitive quantification, reasonable assumptions will be used to qualitatively forecast potential impacts. Rincon typically orients analyses around clear impact statements that are separately highlighted in the text. This allows a more precise statement of the specific issue at hand and sets the stage for the technical discussion that follows. If the impact warrants mitigation measures, they are indexed to and immediately follow the numbered impact in question.

Rincon's technical approach to analyzing each environmental issue is described below under, Proposed Approach to Technical Issues.

Alternatives Analysis

A range of alternatives will be considered in the ADEIR. CEQA Guidelines require consideration of the "No Project" Alternative. For purposes of this EIR, the No Project Alternative would be a continuation of the existing General Plan without any updates or additions. In addition to the No Project Alternative, Rincon will consider up to three (3) other alternatives that would feasibly attain most of the basic project objectives but would avoid or substantially lessen any significant effects identified. It is assumed that buildout assumptions for each alternative will either be provided or approved by the City. Evaluation of alternatives will be in less detail than for the Phase 1 GPU, though the analysis will provide decision-makers and the public adequate information to decide between alternatives. This section will also identify the "environmentally superior alternative." If the No Project Alternative is determined to be environmentally superior, the ADEIR will identify the environmentally superior alternative among the remaining scenarios.



Cumulative Impacts

Consistent with Section 15130 of the CEQA Guidelines, cumulative impacts will be disclosed. These impacts would result from buildout of the Phase 1 GPU combined with impacts of other projects and programs in the area, including surrounding jurisdictions' General Plans. Cumulative projections in the area will be derived in consultation with the City. We propose to provide a summary of projections to inform the cumulative analysis.

Other CEQA Sections

This portion of the EIR will discuss the growth-inducing effects of the Phase 1 GPU as well as significant irreversible changes associated with the proposed Phase 1 GPU. Drawing on the information provided in the environmental setting and preceding issue discussion, the growth-inducing impacts will address the potential for the General Plan to directly induce economic growth and remove obstacles to growth in the area. The significant irreversible changes discussion will summarize the significant effects of the Phase 1 GPU, particularly the unavoidably significant effects.



References

This portion of the EIR will provide full citations for all in-text citations provided within the EIR. This section will identify all supporting documents that were used during preparation of the EIR which are not included as appendices to the EIR itself.

The ADEIR will be submitted to the City in Microsoft Word format, for ease of review.

Proposed Approach to Technical Issues

The technical approach to analyzing each potential environmental issue is described herein. Approaches to the impact analysis for the Program EIR will be discussed with City staff and will be consistent with the assumptions and methodologies used in recent CEQA documents in the City of Pacific Grove to the extent possible. As a Program EIR, the analysis will broadly consider buildout of the City pursuant to the Land Use Element update through the Phase 1 GPU horizon year. However, to the extent practical, the impact analysis will also address site-specific residential zoning changes required to facilitate implementation of the 6th Cycle Housing Element.

While all issue areas contained on the CEQA Guidelines Appendix G Checklist will be addressed in the EIR, based on a preliminary analysis of Important Farmland, Williamson Act lands, and mineral resource zones, we anticipate the following issue areas would likely be considered less than significant and therefore suggest that these issue areas be analyzed within a "Less than Significant" section of the EIR:

- Agriculture and Forestry Resources
- Mineral Resources

We anticipate that the following environmental issues will be addressed in the EIR as stand-alone EIR sections:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire



Aesthetics

Physical changes that could occur under the Phase 1 GPU would alter the aesthetic character of portions of Pacific Grove, which is anticipated to be an important issue to residents due to the city's unique location and historic character. The aesthetic analysis will consider new design standards that may result in the alteration of public views, changes in visual character, and increased light and glare that could result from modifications to the land use scenario. Specific design standards that will be considered in this analysis include those related to height, color, building materials, architectural style, setback requirements, open space requirements, and lighting features. Changes to allowable maximum building densities will also be considered. These modifications under the Phase 1 GPU will be compared to the existing General Plan design standards, building densities, and land use scenario. The analysis will be supported by photo documentation of up to five key areas where future development, in particular proposed zoning changes required to implement the Housing Element Update. The analysis will also consider consistency with relevant City documents addressing design and development standards. Policy-based mitigation measures will be developed as necessary.



Air Quality and Greenhouse Gas Emissions

The air quality and GHG emissions analyses in the EIR will consider temporary construction and long-term operational emissions from Phase 1 GPU buildout. The analysis will summarize the existing air quality conditions in the air basin using data from nearby air monitoring stations available from the California Air Resources Board and the Monterey Bay Air Resources District (MBARD). The state of the climate and relevant federal, state, and local climate change regulations will be described, with GHGs identified as an area of primary concern. This section will summarize federal, state, and local standards and regulatory review requirements pertinent to air quality and GHG emissions, calculate General Plan buildout emissions of criteria pollutants and GHGs using the California Emissions Estimator Model (CalEEMod), and evaluate the significance of air quality and GHG impacts per the MBARD CEQA Air Quality Guidelines methodology for General Plans, Specific Plans, and Zoning Ordinances. Construction emissions will be addressed qualitatively. This section will also evaluate potential odor impacts through buildout of the Phase 1 GPU, which is typically associated with wastewater treatment, manufacturing, and industrial-type land uses; evaluate localized air quality impacts from toxic air contaminant (TAC) to sensitive receptors (no detailed air dispersion modeling is proposed as part of this scope); evaluate the General Plan's compliance with applicable Air Quality Management Plans; evaluate the Phase 1 GPU's compliance with applicable State and local GHG reduction plans, policies, and regulations; and develop mitigation measures for identified potentially significant air quality and GHG impacts.

Biological Resources

While the city does not contain large areas of open space or natural habitat, the city does contain a monarch butterfly sanctuary and open space areas along the western coastline, as well as several parks and vegetated areas that could provide habitat for special-status species. As part of the biological resources analysis, Rincon will collect regional background information on biological resources that could be affected by the Focused General Plan Update. The collected information will include database queries (CNDDB, CNPS, USFWs IPaC), reviews of regional planning documents, and information provided by agency biologists. The scope of work does not include a reconnaissance site visit.

The biological setting subsection will describe vegetation communities, per California Wildlife Habitat Relationships classifications, drainages and wetlands, special-status species occurrences and habitats (tabular format) throughout the City, but with particular emphasis on sites identified for rezoning. The impact analysis will include a description of methodology and significance thresholds, project impacts, and

avoidance and mitigation measures, and a summary of projects or land use changes that may result in impacts to biological resources. Rincon will compile results from database queries in the Appendix of the EIR and summarize the results and findings within the EIR section.



Cultural Resources

The city contains sensitive archaeological and historic resources, and these resources are known to constrain development within the city. The cultural resources analysis will include a review of historic and archaeological resources in Pacific Grove and the potential impacts to those resources from buildout of the Phase 1 GPU. To compile a listing of recognized significant historic and prehistoric resources, information will be obtained from the State Office of Historic Preservation, the City's Historic Resource Inventory, and local historical groups. Rincon will follow the cultural resource protocol that Rincon archaeologists prepared for the City in 2021-2022. The statewide Historical Resources Inventory (HRI) includes a listing of buildings, sites, features, structures, objects, districts, and events that are significant or have historic value. The HRI is not available for public review according to the California Historical Information System Information Center Rules of Operation Manual (Section III.A). It is anticipated that the EIR would require consultation of the HRI as part of required project- level analysis of any future development projects to determine the locations of previously recorded archaeological sites. Policy-based mitigation measures for future development on sites that contain previously recorded cultural sites, or sites that are not known to contain such resources, will be developed as necessary.

Energy

This section will discuss current and projected citywide energy supplies and demand, and qualitatively analyze energy demand associated with future construction and long-term Phase 1 GPU buildout. This section will also compare consistency of the Phase 1 GPU with adopted state, regional, and local energy policies. Policy-based mitigation measures will be developed as necessary.

Geology and Soils

This section will discuss the potential for geologic hazards present within Pacific Grove to adversely affect potential future development facilitated by the Phase 1 GPU. Hazards to be considered include fault rupture, ground shaking, landslides, liquefaction/slope stability, erosion, and subsidence. The analysis will rely on the California Geological Survey, United States Geological Survey, the California Division of Mines and Geology, and other CEQA documents that contain geology and soil information for the area. This section will also address paleontological resources, including identifying the sensitivity of geologic units underlying the City to assess potential impacts.

It is anticipated that the geology/soils work scope will entail a mapping exercise to identify areas where potential future development could be affected by known geologic hazards. Policy-based mitigation measures will be provided as needed.

Hazards and Hazardous Materials

A number of listed hazardous materials sites are present within the city, including several clustered near Lighthouse Avenue and Forest Avenue as well as near Forest Avenue and Prescott Lane. This section will discuss the potential for impacts relating to hazardous materials transport, storage, and use, as well as such hazards as wildland fires. The analysis will rely on online hazardous material databases and other environmental documents prepared for the City.

The hazardous material analysis will involve qualitative discussions of the potential for new development to either create the potential for hazardous conditions or be adversely affected by existing hazards. Policy-based mitigation measures will be provided as needed.

Hydrology and Water Quality

The hydrology and water quality analysis will evaluate potential impacts relating to hydrological conditions and flooding as well as potential impacts to surface and groundwater quality. Water quality is of particular importance in the city from stormwater runoff into the bay. The Pacific Grove Area of Special Biological Significance (ASBS) encompasses the portion of the Monterey Bay that is located northeast of the city, and is subject to additional water quality protections. The existing hydrologic setting of Pacific Grove will be described generally and potential impacts relating to new development will be discussed conceptually. Information sources will include readily available data from the Regional Water Quality Control Board and recent CEQA documents.

The analysis will be qualitative in nature, relying both on proposed General Plan policies and existing regulations (in particular, the National Pollutant Discharge Elimination System [NPDES] and related City requirements) to address potential impacts. As appropriate, additional policies to address hydrological or water quality impacts will be recommended as EIR mitigation.

Land Use and Planning

This section of the EIR will examine land use policy issues. Rincon will prepare an objective discussion of whether and how the Phase 1 GPU is consistent with both existing City policy documents and regional planning policies, including those of the local air quality plan and Metropolitan Transportation Plan/ Sustainable Communities Strategy (MTP/SCS). It is anticipated that proposed policies will generally be consistent with those of other adopted policy documents. However, as appropriate, new or revised policies will be recommended to address any inconsistencies.

Noise

The noise section of the EIR will be conducted in accordance with City of Pacific Grove guidelines, standards, and ordinances. The existing setting will describe existing traffic and airport noise levels. Rincon will also Phase 1 GPU buildout traffic noise levels using the FHWA Traffic Noise Prediction Model, based on future traffic forecasts provided by Kimley-Horn. The EIR will identify areas along roadway segments that

would be exposed to noise levels above established criteria. The modeling results will be summarized in the EIR and provided in an appendix.

Noise impacts from non-transportation sources will be evaluated on a programmatic level, qualitatively based on local noise standards. Rincon will analyze noise impacts from non- transportation sources such as major commercial and industrial uses in terms of potential impacts to nearby noise-sensitive receptors and the noise limitations identified within the City's Municipal Code.

Rincon will provide a qualitative analysis for potential construction impacts associated with buildout of the Phase 1 GPU. Future noise and vibration effects from construction activities will be discussed in terms of accepted standards from the U.S. Federal Transit Administration (FTA). Feasible mitigation measures will be identified to minimize noise and vibration impacts associated with Phase 1 GPU buildout.



Population and Housing

It is not anticipated that the proposed Phase 1 GPU would displace people or housing. Therefore, this section will focus on comparison of potential population and housing growth to regional growth forecasts for the area, as contained in the MBARD AQMP and MTP/SCS. The discussion will also consider impacts to the balance of jobs and housing in the City. Policy-based mitigation measures will be developed as necessary.



Public Services

The public services section of the EIR will address potential impacts relating to police protection and fire protection services, as well as schools. The analysis of policy and fire service will involve contact with the Pacific Grove Police and Fire departments to determine service levels and existing and projected gaps in service.

The schools analysis will involve contact with the Pacific Grove Unified School District to identify current enrollment and capacity as well as student generation rates. School capacity levels and needs will be identified. Existing and proposed development impact fees, including State-mandated school impact fees, will be identified as mitigation as appropriate. Policy-based mitigation measures will be developed as necessary.

Recreation

This section will analyze potential impacts to City parks and recreational facilities, including Lovers Point Park, the Monterey Bay Recreational Trail, George Washington Park, and Marine Gardens Park.

It is not anticipated that existing parks would be directly affected by potential new development; therefore, the analysis will focus on potential indirect effects related to increased demand for parks and recreational facilities. Demand will be forecast based on projected population growth and City estimates of per capita park demand.

Transportation

This section of the EIR will rely on the Phase 1 VMT, multimodal, and safety analysis prepared by Kimley-Horn. Kimley-Horn will utilize the Association of Monterey Bay Area Governments (AMBAG) Regional Travel Demand Model (RTDM) to analyze land use changes associated with the Focused General Plan Update. The VMT analysis will review base- and plus-GPU buildout increases or decreases in VMT. VMT may also be presented per capita and/or by land use type. The multimodal analysis will consider potential impacts to pedestrian and bicycle facilities. The safety analysis will include an assessment of accident data within the City. Traffic counts and analysis will be conducted at up to eight study intersections, focusing primarily on Caltrans facilities (Highway 68) to assess potential traffic safety impacts. Mitigation measures for VMT, multimodal,

or safety impacts may include transportation demand management (TDM) measures, closing gaps in the multimodal transportation system, and/or improving intersection geometries.

The existing setting, project and cumulative impacts, and any suggested mitigation measures for multimodal, safety, and VMT in the study prepared by Kimley-Horn will be described and listed in the EIR section as appropriate. The analysis will identify key transportation system components and consider whether Phase 1 GPU buildout would conflict with a program, plan, ordinance, or policy addressing the circulation system. Policy-based mitigation measures will be developed as necessary.



Tribal Cultural Resources

There are two primary tribes present in Pacific Grove: Ohlone/ Costanoan-Esselen Nation (OCEN) and the Esselen Tribe of Monterey County (Esselen Tribe). The area, including the city and nearby coastline, is considered highly sensitive for cultural and tribal cultural resources. As described above, Rincon will follow the tribal cultural resource protocol that Rincon archaeologists prepared for the City in 2021-2022 and revised in 2023 (pending adoption as of July 2023). This section will summarize the results of AB 52 and SB 18 consultation (Task 5.5). Rincon will summarize the AB 52 efforts and will include identified mitigation in the EIR, as applicable.

Utilities and Service Systems

This section will discuss potential impacts to water supply and service systems, wastewater conveyance and treatment systems, wastewater/solid waste generation, and solid waste collection and disposal systems. Water, wastewater, and solid waste services are provided by multiple entities including California American Water Company (Cal-Am), Monterey Peninsula Water Management District (MPWMD), Monterey One Water (M1W), and ReGen Monterey (formerly Monterey Peninsula Waste Management District). Impacts to the City storm drain system will be addressed in the hydrology/water quality section.

Water supply will be a key issue for the EIR, particularly with the continued moratorium on new water connections in the Pacific Grove portion of CalAm's service territory, which restricts water supply availability for future growth. Rincon will thoroughly document the existing water supply conditions based upon review of published data, including but not limited to CalAm's current (2020) Urban Water Management Plan (UWMP) for its Monterey County District, which encompasses the City of Pacific Grove. It is anticipated that a Water

Supply Assessment (WSA) will not be provided for the project; as a programmatic planning document that does not propose construction of a distinct project, the Phase 1 GPU does not explicitly trigger the requirement for a WSA under California Water Code as amended by SB 610. Some water supply providers elect to prepare a WSA when not required, if doing so could produce new information or analysis to inform and streamline environmental processes. However, due to the existing water supply constraints in the project area, it is not anticipated that a programmatic WSA would reveal information about water supply in the General Plan area that is not already available in the UWMP.

Therefore, the analysis of water supply developed for the EIR will rely upon information from CalAm's latest (2020) UWMP, as well as other publicly available, published data. Such data may include but is not limited to the environmental review documents prepared for alternative water supply projects, including a desalination plant in Marina (recently approved by the Coastal Commission) and Pure Water Monterey expansion. It is anticipated the current moratorium will remain in effect throughout the Phase 1 GPU process, such that water supply solutions may not rely upon lifting the moratorium, and creative solutions to water supply restrictions will be necessary to accommodate implementation of the proposed zoning changes. Policy-based mitigation measures to address potentially significant impacts, including as related to water supply availability, will be developed as needed.

In addition, impacts relating to wastewater/solid waste generation will be discussed. Policy-based mitigation will be identified as needed.



Wildfire

Pacific Grove contains some land designated within a Very High Fire Hazard Severity Zone in a Local Responsibility Area, along the city's southern boundary. The city is also adjacent to a Very High Fire Hazard Severity Zone in a State Responsibility Area. Additional fire hazards are present in wooded areas within the city. This section will describe the location of Fire Hazard Severity Zones within or near the city. Wildfire risk will be assessed, consistent with OPR's lates guidelines related to wildfire hazards. As necessary, policy-based mitigation measures will be developed to address identified significant impacts.

5.7 Screencheck Draft EIR

Rincon will address one round of City comments on the ADEIR and prepare a Screencheck Draft EIR. All comments from the City will be provided as a consolidated set of comments in editable electronic format (i.e., as tracked changes in Microsoft Word). If there are multiple reviewers, the City will be responsible for

reconciling conflicting comments prior to sending to Rincon. To maintain momentum in the project schedule and provide cost efficiency, we assume City comments will focus on any new content in the previous version of the ADEIR, and new comments on previously submitted content will be minimal. The Screencheck Draft EIR will be submitted to the City in Microsoft Word with track changes retained.

5.8 Public Draft EIR

Once the City approves the Screencheck Draft EIR, Rincon will prepare the Draft EIR for public circulation. Rincon will prepare required noticing forms, including the Notice of Completion (NOC), Notice of Availability (NOA), and OPR's Summary Form for Electronic Document Submittal, for City review. Rincon will address one round of comments on the forms. Rincon will be responsible for submitting documents through the digital CEQASubmit platform and filing the NOA with the Monterey County Clerk's office. It is assumed the City will be responsible for required newspaper ads and other public noticing of the document's availability, such as radius label mailing or onsite posting. As required by State law, the Public Draft EIR will require at least a 45-day public review period. Rincon will provide two hard copies of the Public Draft EIR for posting at the City offices and Pacific Grove Public Library and will provide a digital version in Adobe PDF for posting to the City's website. Accessibility remediation of the Draft EIR is not included in this scope of work, but can be completed upon request for an additional fee.

5.9 Response to Comments and Administrative Final EIR

Upon receipt of public comments on the Draft EIR, Rincon will prepare draft response to comments and an Administrative Final EIR for review by the City. This scope of work assumes up to 20 comment letters containing comments on the content of the CEQA document will be received, including five lengthy (over five pages) and/or substantive letters, all of which can be adequately responded to in a maximum of 150 professional staff hours.

Comment letters that solely express support or opposition to the Phase 1 GPU would not count against the 20-letter estimate. The actual level of effort required to respond will depend on the length, detail, and sophistication of the comments, in addition to the number of letters received. We reserve the right to reevaluate the effort level and request a scope amendment upon close of the public comment period. If the number of comment letters and the effort to prepare responses is greater than anticipated, Rincon will notify City staff immediately and discuss options to amend our scope of work and budget as necessary.

Rincon will address one round of consolidated City comments, to be provided in editable format, on the draft Responses to Comments and prepare a Screencheck Responses to Comments, in Microsoft Word with edits shown in track changes. Upon City review and approval of the Screencheck, Rincon will submit the Final EIR for hearing.

5.10 Mitigation Monitoring and Reporting Program

Concurrent with Task 5.9, Rincon will prepare a Mitigation Monitoring and Reporting Plan (MMRP), which will be bound separately from the Final EIR. The MMRP will be provided in a format designed for use by planners, environmental monitors, or code enforcement officers. Essentially, this plan will take the form of a detailed table that describes:

- Persons/agencies responsible for monitoring compliance with each condition
- Timing when monitoring must occur
- Frequency of monitoring
- Criteria to be used to determine compliance with conditions
- Capital costs

The capital costs column is anticipated to be filled in by City staff. Rincon can assist with this for an additional fee. It should be noted, however, that capital costs are not typically considered in MMRPs and are not a required component pursuant to CEQA. The final version of the MMRP will be incorporated as an appendix to the Final EIR.



5.11 Final EIR

After receipt of City comments on the Administrative Final EIR (Task 5.9) and MMRP (Task 5.10), Rincon will prepare a Screencheck Final EIR for City staff review and confirmation followed by a Final Program EIR after incorporating comments from City staff. Rincon will prepare a draft Notice of Determination (NOD) for City approval. Rincon staff will file with the County Clerk and State Clearinghouse within five working days of General Plan approval. It is assumed that the City will pay all applicable fees associated with filing the NOD at the County Clerk, including payment of the CDFW CEQA filing fee. Rincon will provide two hard copies of the Final EIR for placement at the City offices and Pacific Grove Public Library.

5.12 CEQA Findings, Statement of Overriding Considerations, and Resolution

Rincon will prepare the CEQA Findings and Statement of Overriding Considerations (if a significant and unavoidable impact is identified) for the Phase 1 GPU based on the impact conclusions of the EIR, based on a template provided by the City. The Draft CEQA Findings will be submitted alongside the Final EIR, and will contain a discussion of alternatives, including the rationale for rejecting any of the analyzed General Plan alternatives, using in part the project objectives. This scope of work assumes if alternatives are determined to be infeasible due to financial considerations, or that the Statement of Overriding Considerations relies on specific economic or financial factors, corresponding financial data to support these conclusions will be provided by the City. This task will comply with CEQA Guidelines Sections 15091 and 15093 and will be submitted in a City-approved electronic format. Rincon will prepare an administrative draft version of the CEQA Findings for City review, will address one round of consolidated City comments, and submit a final document version digitally.

Rincon will also prepare the draft CEQA Resolution for City review and comment. The CEQA Resolution will be prepared in accordance with the City's required format. The CEQA Resolution will incorporate the CEQA Findings and, if applicable, the Statement of Overriding Considerations as attachments. Rincon will address one round of consolidated City comments and submit a final document version digitally.

5.13 Phase 1 Administrative Record

Rincon will maintain the Administrative Record for this project. Maintenance of an accurate and comprehensive administrative record is important for the defensibility of the EIR, should it be challenged.

Rincon will develop a work plan at the outset that instructs internal staff on the way in which the Administrative Record will be developed and maintained. As sources are referenced in each section of the report, they are logged in an index containing a hyper-linked cross-reference to the individual source files, copies of which are maintained on company servers. These include, for example, guidance documents, websites, correspondence, and technical memoranda. The index and source files will be supplied digitally alongside the Draft EIR.

5.14 Phase 1 Legal Review

Rincon has on staff a qualified legal team with more than 45 years combined experience in land use, long-range planning, CEQA review, and CEQA litigation. Such experience allows Rincon to provide trusted, substantive review of key documents, including the Public Draft EIR and Final EIR, to provide legal adequacy and a sound basis for a defense during legal challenge. Rincon's legal team also provides strong support for responding to comments on the environmental and land use documents and in addressing identified concerns raised in late correspondence prior to the public hearings.

With careful consideration as to how each step of the process may ultimately affect the outcome and impact on the community perception, Rincon can provide thoughtful analysis on the best approach to take for any unique or potentially controversial issue, with the legal team participating on an as needed basis for planning calls and internal discussion and review. This scope includes legal review of the Draft EIR and Final EIR, to be conducted prior to City review of the Administrative Draft version of the documents.

A total of 20 staff hours is included in this task for legal review. Additional legal review can be provided on a time and materials basis to provide a more thorough review of specific topic areas as requested by the City.

Deliverables

Administrative/working drafts will be provided in Microsoft Word and/or Adobe PDF. Revised documents will be provided in Microsoft Word with edits shown in track changes. Adobe PDF documents will be provided for public draft and final documents and shared via email and through the SharePoint site as part of the final administrative record. Unless authorized as an additional task, documents will not be formatted for ADA compliance.

- Draft and Final Notice of Preparation (Microsoft Word and Adobe PDF)
- Scoping Meeting materials (e.g., agenda, presentation)
- Attendance (two Rincon staff members) at an in-person Scoping Meeting
- ADEIR (Microsoft Word)
- Screencheck Draft EIR (Microsoft Word with track changes retained)
- Public Draft EIR (two hard copies, Adobe PDF copy with user-friendly cross-reference hyperlinks)
- Draft and Final CEQA Notices, including the NOC for the NOP submittal and the NOC, NOA, and OPR's Summary Form for the Public Draft Program EIR submittal
- Draft and Final Response to Comments (Microsoft Word)
- Draft and Final MMRP (digital files)
- Screencheck Final EIR (Microsoft Word with track changes retained)
- Final Program EIR (two hard copies, Adobe PDF copy with user-friendly cross-reference hyperlinks)
- Draft and Final CEQA Findings and Statement of Overriding Considerations (digital files)
- Notice of Determination (Adobe PDF)

Task 6 Public Hearings

6.1 Public Hearings

This task provides a budgeted allowance for the Rincon team to attend public hearings for Phase I. For purposes of this proposal, we have assumed the following participation:

- Two Planning Commission Hearings (virtual)
- Two City Council Hearings (one in-person, one virtual)

6.2 Final Documents

Based on final direction and comments provided by the City Council, the Rincon team will prepare the final documents. This task assumes minor editorial edits necessary to finalize the documents.

Assumptions

- This task assumes attendance by 2 Rincon team members at each hearing, attendance by 2 WRT team members at 1 meeting, and attendance by 2 Kimley-Horn team members at 2 meetings
- This task assumes hearings are no more than 4 hours each (plus travel time)

Deliverables

- Presentation and attendance at public hearings
- Final Zoning Map
- Final Zoning Ordinance
- Final Land Use Element

Phase II

As noted previously, during Phase II, Rincon will update the Health and Safety Element along with concurrent updates to the Transportation Element and community character portions of the Land Use Element. In addition, Phase II will include the preparation of architectural objective design and development standards.

Task 1 Project Initiation and Coordination

The scope for this task is similar to the scope for Phase I, Task 1. This task includes ongoing project management and coordination, including biweekly meetings and monthly reporting. This task does not include a City tour, but will include a Phase II kick off meeting.

1.1 Phase II Kickoff Meeting

Rincon will facilitate a Phase II kickoff meeting with City of Pacific Grove staff to discuss additional data needs, community issues and opportunities for Phase II, and explain our proposed approach to the various components of the work program.

The kickoff meeting is envisioned as a two-hour meeting. The Rincon team will work with the City to achieve the following objectives:

- Clarify the work program, schedule and communication protocols
- Early identification of data sources and needs
- Discuss staff expectations and community issues
- Refine the community engagement strategy and obtain initial input for a key stakeholder list

1.2 Document Gathering

Rincon will work with the City to develop a comprehensive list of additional documents and data still needed for the Focused General Plan Update. The data list will include necessary GIS map files, existing City documents, and any other materials that will be used to support the Focused General Plan Update.

1.3 Scope of Work and Schedule Refinement

The kickoff meeting provides the team with an opportunity to further refine the scope of work and project schedule. Following the kickoff meeting, we will create a detailed project schedule highlighting major milestones, deadlines, deliverables, and meetings. The schedule will be reviewed and updated as necessary as the project progresses.

Rincon will provide regular check-ins and provide updates on schedule in conjunction with our monthly invoicing. If we proactively identify project issues that may cause schedule delays, the Project Manager will bring those to the attention of staff, identify potential solutions and coordinate with staff as to the best course of action.

1.4 Document Set Up

Early in the project, Rincon will work with City staff to create a document template package. The template documents will be used by the team to ensure consistency in the look and feel of the documents, including any presentation materials and planning documents. Rincon will also work with City staff to address how the documents will interact with the existing General Plan, Zoning Code and other existing Pacific Grove plans. This task assumes that City staff will provide any branding guidelines, including any color or font guidelines for reference.

1.5 Project Coordination

Our project management team will be in continuous coordination with City staff in an organized and efficient manner. This task provides for overall project management, coordination of team members and tasks, preparation of project updates, consultation with City staff, team meetings, and monthly invoices. It includes conference calls with City staff approximately every other week as needed during active months throughout the project to review tasks in progress, share information, and review key milestones and deliverables. These meetings may shift to monthly or be handled through email communication when biweekly meetings are not needed. Our project coordination tools include the use of Microsoft SharePoint, which enables our team to seamlessly share documents and deliverables, while staying high touch with City staff. Since communication is a top value for our team, additional communication with the City team by e-mail and phone will occur throughout the project, independent from the scheduled calls.

Assumptions

- The project management budget was established based on the assumed schedule (28 months) for Phase II. Thus, additional time and budget will be required if the project schedule is extended by the City.
- Monthly progress reports will be provided to City staff. It is assumed that City staff will be responsible for any monthly progress reporting to the City Council or Planning Commission.
- This task assumes Phase II is a continuation of Phase I and therefore project set up will have been completed under Phase I.

Deliverables

- Kickoff meeting agenda and any additional data needs list (electronic format)
- Meeting notes from Phase II kickoff meeting (electronic format)
- Project schedule (electronic format)
- Monthly progress reports to accompany invoicing
- Up to 60 bi-weekly calls with City staff (detailed meeting assumptions are provided in Section 6)

Task 2 Community Engagement

2.1 Community Engagement Plan

The Rincon team will prepare a Community Engagement Plan for Phase II of the work effort that clearly identifies the engagement activities, associated phase of the project, target audience/stakeholders, responsibilities for carrying out the engagement (including City staff and/or members of the Rincon team), and reporting for notifications and participation in community engagement activities.

As stated in the Cover Letter, our approach to Community Engagement leverages City staff resources and relationships to support a robust community engagement effort. This task assumes City staff will conduct two rounds of review of the Community Engagement Plan and upon receipt of consolidated City comments in tracked changes, the Rincon team will prepare a Final Community Engagement Plan for City staff to share with decision makers, the GPTAG and to post to the project website. Approval of the Community Engagement Plan will be a key milestone in the project schedule.

2.2 Online Engagement

Building on the engagement efforts of Phase I and applying lessons learned from the results of those efforts, the Rincon team will create additional virtual engagement opportunities for residents to learn about the update efforts and participate in a variety of ways. For the Phase II Focused GPU, a variety of tools will be used to support online engagement, as described below.

2.2.1 Website Content

The Rincon team will continue to support City staff with narrative content and updates for the City's General Plan webpage. This is anticipated to include the following:

- Community Engagement Plan
- Links and introductions for community engagement events
- Additional FAQ – as needed

2.2.2 Micro Surveys

The Rincon team will develop up to three micro-surveys (using SurveyMonkey or similar application) intended to both generate interest in the Focused General Plan Update and solicit community input on priorities. The survey link would be shared by the City on their website, through social media, existing City list servs, at standing community events and other communication methods. Following each online survey closing, an accompanying summary report will be created with numerical breakdowns of responses, charts and graphs where applicable, and narrative descriptions of the qualitative results.

The Rincon team will provide City staff with an initial outline of each survey prior to developing a draft version of the survey. This will allow early engagement with City staff on the format and ensure the team is in agreement before developing detailed content. This task assumes one round of City staff review on each draft survey, and upon receipt of consolidated City comments, the Rincon team will prepare a final version of the survey for posting to the City's website.

2.2.3 Educational Videos

Short educational videos are a great way to story tell and convey information. These brief segments are visual and allow for quick, self- paced learning. They are a great way to share the purpose of the project and convey technical information in a visually appealing manner that can support specific milestones in the project.

For this effort, the Rincon team proposes up to two educational videos as follows:

- **Video #1: Focused General Plan Overview.** Rincon will prepare a video talking over a presentation to educate the public about the Focused General Plan Update process, including recent legislative updates and opportunities to get involved.
- **Video #2: Community Character and Objective Design and Development Standards.** WRT will prepare a slide show focused on community character and ODDS. It may include topics such as compliance with recent State law, what are "objective standards", approaches, key considerations. There may be two or three short segments to cover these topics.

The Rincon team will provide City staff with an initial outline of each video prior to developing a draft version of the video. This will allow early engagement with City staff on the content and ensure the team is in agreement before developing detailed content. This task assumes one round of City staff review on each draft video, and upon receipt of consolidated City comments, the Rincon team will prepare a final video for posting to the project website.

2.3 Community Workshops



Formal community workshops are a great way to engage the public and provide them with an opportunity to discuss their priorities, ideas, and vision for the future of Pacific Grove. We envision a series of workshops that allow participants to actively participate through interactive exercises. These workshops will be centered on different General Plan topics and key project milestones. We recommend the following approach and organization to the workshops rather than organizing by element or discrete topic area:

Learning – Up to 1 In-Person and 1 Virtual



- **Introduction to Focused General Plan Update – Phase II (1)** This workshop will provide an introduction to Phase II of the Focused General Plan Update and will explain the high level legislative requirements for the General Plan Update.
- **Issues and Opportunities (1).** Following the completion of the Existing Conditions presentation, the Rincon team will conduct an issues and opportunities focused workshop to solicit community feedback on Transportation, Community Character, and Safety related issues and opportunities. This workshop is anticipated to be in-person. This workshop will incorporate information obtained from the community during the Walking Tour in Task 2.7.

Policy Direction – Up to 1 In-Person and 3 Virtual

- **Mobility/Community Character Studio (1).** The Rincon team will discuss urban design and transportation at a mobility/community character studio workshop. The workshop will focus on potential ideas to transform corridors, provide neighborhood connections and the public realm with a focus on potential changes to the transportation system and community character elements. . These workshops are assumed to be in person and will use visual and interactive elements to support the discussion.
- **Policy Direction Workshops (3).** Following the alternatives workshops, Rincon will conduct a series of virtual workshops organized around the key components of the work program to review policy direction for all topics covered in Phase II of the Focused General Plan Update. These workshops are anticipated as follows:

o Urban Design/Community Character (1) - WRT will lead and facilitate a meeting focused on community character and draft policy direction. The meeting will be interactive and engaging and will support a more focused discussion on infill strategies and architectural objective design and development standards. The input provided at this workshop will inform development of any community character policy updates in the Land Use Element and architectural objective design and development standards.

o Health and Safety Element (1) - the Rincon team will host a workshop to review draft policy direction for the Health and Safety Element. We will present a baseline understanding of the existing conditions, what legislative requirements apply, and some common best practices from similar communities. The workshop will be interactive, engaging, and designed with the dual purpose of allowing participants to gain a fuller understanding of the topics addressed by the Health and Safety Element and their applicability to the City, and for the project team to gain insight and input on the policy direction proposed. Input from this workshop will inform development of the Draft General Plan.

- Transportation Element (1) - the Rincon team will host a workshop to review draft policy direction for the Transportation Element. We will present a baseline understanding of the existing conditions, what legislative requirements apply, and some common best practices from similar communities. The workshop will be interactive, engaging, and designed with the dual purpose of allowing participants to gain a fuller understanding of the topics and their applicability to the City, and for the project team to gain insight and input on the policy direction proposed .Input from this workshop will inform development of the Draft General Plan.
- discussion on infill strategies and the objective design and development standards.

Review and Adoption – Up to 1 In-Person and 1 Virtual

- **Draft General Plan, Zoning Updates and Program EIR.** These workshop are anticipated to review the Draft General Plan, Zoning Updates and EIR after they have been released for public review.

Prior to each in-person workshop, we will develop a Facilitator's Guide that describes the notification efforts, key messages, and format and materials that will be used at workshops. Project fact sheets, comment cards and graphic displays will be produced. These materials will be reviewed and approved by City staff prior to being used at these meetings.

Task 2.3 anticipates a total of up to three in-person workshops and five virtual workshops.

City staff is assumed to provide logistical support for the workshops, including securing venues, distributing notifications and assisting with the staffing for each of the events.

2.4 General Plan Technical Advisory Group

This group is expected to serve as a common thread throughout the update process and provide feedback and review key work products. The General Plan Technical Advisory Group (GPTAG) is anticipated to be comprised of between 10-15 individuals and will serve as an advisory group that will provide feedback on project issues including the vision and guiding principles, land use and transportation alternatives, urban design and community character priorities and other key topics. The GPTAG can also support a review of content for the community workshops. The following provides initial recommendations for the organization of up to six GPTAG meetings. This scope assumes City staff will lead any additional meetings beyond those described below:

- Meeting #1 – Phase II Project Initiation
- Meeting #2 – Issues and Opportunities
- Meeting #3 – Community Character/ Architectural ODDS
- Meeting #4 – Policy Alternatives
- Meeting #5 – General Plan Review
- Meeting #6 – Additional Topic (to be determined)

The group should be selected under the advisement of City staff and may include key individuals from various departments, appointed and elected officials, as well as community stakeholders who played a role in the Housing Element update process.

These meetings will occur at key milestones of the project and will align with community workshops and public meetings with Planning Commission and City Council. It is assumed that City staff will organize and lead facilitation of these meetings. It is assumed that the Rincon team will attend up to six virtual meetings and will help establish the GPTAG and provide presentation materials (e.g., PowerPoints, handouts), agenda topics, and support note taking for the six meetings.

2.5 Virtual Stakeholder Interviews

The Rincon team will prepare for and conduct a series of virtual, small group and/ or one-on-one interviews to discuss the Focused General Plan Update with service provides, local organizations, groups, and

stakeholders. This may include follow up discussions with City staff that administers zoning, emergency and utility providers, local developers and architects, property owners whose properties are in areas of change, and community-based organizations or special-interest groups that represent housing needs and issues that may be relevant to address through the zoning code. It is assumed that City staff will collaborate with Rincon staff to generate a comprehensive list of stakeholders to interview. The interviews will be used to identify key issues to be addressed and to allow the consultant team to understand the desired improvements and strategies from these local leaders. This task assumes up to 10 virtual stakeholder interviews lasting approximately one hour, and the deliverable for this task includes a memo summarizing results of the interviews.

2.6 Study Sessions/Public Meetings

This task provides a budgeted allowance for the Rincon team to attend public meetings with the Planning Commission, Architectural Review Board and/or City Council. This task provides an allowance for the Rincon team to join up to two virtual study sessions/public meetings public meeting. Rincon will prepare PowerPoint presentations for each of these meetings.

2.7 Walking Tour

Walking tours are an effective engagement tool that empowers stakeholders to provide more site-specific input, while imagining and contextualizing ideas about the future.

Traditional (in-person) walking tours involve project teams physically walking through sites and organizing charrettes, surveys, or facilitated question and answer sessions with stakeholders to receive community feedback. The walking tours are anticipated to focus on urban design and community character features. The walking tour is anticipated to occur with members of the GPTAG.

WRT will lead one in-person walking tour. The tour will offer an opportunity for participants to examine and help refine our team's understanding of three distinctly different places: the city's downtown, its inner neighborhoods, and its outer neighborhoods. For the tour, WRT and Rincon will provide facilitators, a walking map, and questionnaire. Each tour will begin with an orientation, followed by the walking tour itself, and ending with a forum in which participants can share and listen to one another's observations. WRT will provide a walking tour guide to outline the details of the walking tour event.



2.8 As Needed Engagement (Optional)

This task provides a budgeted allowance for additional community engagement support by the Rincon team. This could be used to support additional meetings, educational videos, preparation of engagement toolkits to support engagement completed by City staff or other ambassadors, office hours, pop-up events or other

types of engagement. We recommend that engagement provided under this task be provided on a time and materials basis and as mutually agreed upon with City staff. Any additional engagement requests should be carefully reviewed for alignment with the overall schedule.

Deliverables

- Draft and final Phase II Community Engagement Plan (in electronic format)
- Outline, draft and final surveys (up to three total)
- Survey results in summary report format (up to three total)
- Outline, draft and final educational videos (up to two total)
- Facilitator's Guide for each in-person workshop, sign-in sheet, and name tags
- Organize and attend up to 3 in-person and up to 5 virtual workshops, including workshop materials to be finalized at the time of planning, and workshop summary memos
- Virtual attendance at up to 6 GPTAG meetings, includes supporting facilitation and providing presentation materials (e.g., PowerPoints, handouts), agenda topics, and supporting note taking
- Facilitation of up to 10 virtual stakeholder interviews, including the development of stakeholder interview questions with review by City staff and memo summarizing results
- Attend up to 2 virtual study sessions
- Walking tour guide/maps, questionnaire for tour attendees, facilitated meeting at the end of tour, and summary of results

Task 3 Existing Conditions and Issues and Opportunities

The City's General Plan has not been comprehensively updated since the 1990s. One of the first tasks in Phase II will be the learning phase, where the Rincon team will build a foundational understanding of the city's existing conditions as well as issues, opportunities and trends in relation to community design, transportation, and safety and hazards. This task will be done in coordination with the engagement described above in Task 2 by conducting community engagement activities, including walking tours, and issues and opportunities activities to ensure a clear understanding of the community's issues, priorities, and values.

During this task, the team will conduct a review of existing documents, including an audit of the General Plan. The audit will identify goals, policies and programs still relevant that can be incorporated into the updated General Plan and those that have the potential but need to be revised or updated. The audit will also include a legislative consistency analysis to address required legislative updates since the General Plan was last updated.

The Rincon team will prepare Existing Conditions Memorandums and Technical Memorandums (as further detailed in Task 3.2) to describe Pacific Grove's existing built, social and natural environment.

3.1 General Plan Audit

The audit will identify goals, policies, and programs still relevant that can be incorporated into the updated General Plan and those that have potential but need to be revised or updated including an assessment of which policies and programs have been particularly successful for City of Pacific Grove and which have not. This review will also take a close look at the Housing Element programs that will be adopted for the 2023-2031 Housing Element Cycle, including how these programs will affect the Healthy and Safety Element and Transportation Element. A key component of the General Plan Audit will also include a legislative consistency analysis, which will provide a list of legislative changes required to bring the General Plan into compliance. This assessment assumes one round of review with City staff and would be included as an Appendix to the Existing Conditions Executive Summary.

3.2 Existing Conditions Background and Technical Memorandums

The Rincon team will prepare a series of existing conditions background and technical memorandums to describe Pacific Grove's existing social, natural, and built conditions. The technical memorandums will be used to inform an understanding of the City's existing conditions to support subsequent tasks including Issues and Opportunities, the Architectural Objective Design and Development Standards, and the focused updates to the Community Character/Land Use, Transportation and Health and Safety elements. Each of the technical memorandums will be under separate cover and are intended to be technically focused on the information needed to support the updates as described above, using simple narratives and data presentation and maps (as necessary). Unless otherwise stated herein, Rincon anticipates one round of review of each of the existing condition and technical memorandums. The drafts will be submitted electronically, and the team will respond to one set of compiled, tracked changes from the City.

The technical memorandums include the analysis necessary to support compliance with SB 379, AB 747, SB 99.

To support engagement and help synthesize the information from the existing conditions background and technical memorandums, Rincon will prepare a graphically oriented and succinct Existing Conditions Background Report Executive Summary (Executive Summary). The Executive Summary will summarize the most relevant existing conditions information from the reports and is anticipated to be used for discussions with stakeholders and to provide a more publicly accessible version of the existing conditions information. The following subsections describe the anticipated existing conditions and technical background memorandums that will be prepared.



3.2.1 Community Character

Pacific Grove is a composite of exceptional districts and landscapes. WRT will take a place-based approach to community design to respond to distinct and unique development patterns and character within neighborhoods and along corridors, with appropriate building types.

The older part of town affords extraordinary walkability as its centrally located downtown and grid connect residents to goods and services; infill development can complement the traditional fabric and confer benefits, such as to reduce Pacific Grove's per capita driving rates in the community and increase patronage (and therefore the availability) of local destinations. Newer neighborhoods, while auto-reliant for shopping trips, are integrated within extraordinary coastal landscapes with remarkable recreation; development in these outer neighborhoods can reinforce how buildings and landscapes work with the natural setting.

The Forest Hill commercial district was designed for motorists with low-rise buildings set behind parking lots; a candidate for private redevelopment on account of its relatively low development intensity, policies and design standards for Forest Hill can use growth to create a walkable transit-oriented district by investing in pedestrian infrastructure and codifying pedestrian-oriented building and site guidelines in the Forest Hill Specific Plan.

WRT's approach will be to carefully evaluate these generalized "place types" to identify character- defining features for each place type and tailor policies and standards to respect Pacific Grove's character, while recognizing contemporary building practices and their response to market factors. Community engagement will inform our understanding of place types and how this understanding should inform policies and standards. Walking tour (see Task 2.7) will enlist GPTAG members in identifying "what works" and "what needs fixing" in each place.

For each place type, WRT will catalogue representative building types and architectural characteristics, such as: setback/build-to lines, massing cadence & modulation, materials & color, fenestration & entry patterns, cornice lines, and roof form. WRT will note if an architectural style predominates. They will also examine landscape treatments, such as fences and tree species, and street design elements, like sidewalks and street trees. WRT will also review Pacific Grove's Historic Context Statement and its Architectural Review Guidelines for Single-Family Residences. This will include the creation of district maps, photos and descriptors of the districts examined, a place type map and place type matrix that groups together districts with similar characteristics, character-defining attributes for each place type.

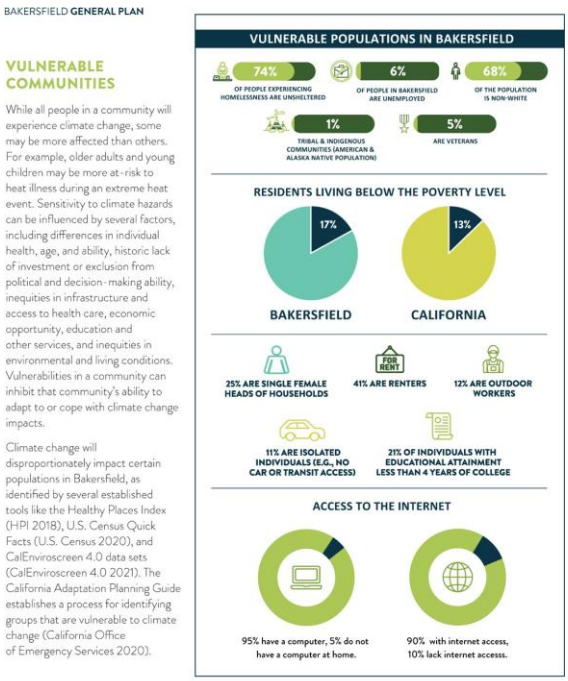
3.2.2 Hazards and Safety

Rincon will characterize and assess natural and environmental hazards in Pacific Grove. We will generate infographics and maps to characterize the risks and vulnerabilities related to:

- Geologic and seismic hazards, including liquefaction, seismic activity, and landslides
- Flooding hazards
- Peak load water demand
- Wildland fire hazards
- Hazardous materials
- Climate change related hazards, including increases in temperature, more intense and frequent heat waves, more intense and frequent drought, higher frequency of catastrophic floods, more intense and frequent wildfires, and more severe coastal hazards associated with sea level rise (consistent with the more detailed analysis conducted under Task 3.2.3, described below).
- Emergency evacuation constraints (consistent with the more detailed analysis conducted under Task 3.2.4 and 3.2.5, described below).
- Emergency response facilities and services to characterize Pacific Grove's capacity to prepare and respond to emergencies.
- Noise conditions will consider type, location, and extent of noise incompatibility in the community. Rincon will identify major stationary and mobile sources of noise in the City and visually identify traffic noise contours based on data from the traffic report. For this analysis, Rincon will prepare noise contour maps and descriptions of existing noise conditions.

3.2.3 Climate Change Vulnerability Assessment

In accordance with California Government Code 65302(g) and SB 379, Rincon will complete a Climate Change Vulnerability Assessment which will detail the anticipated climate impacts in the City of Pacific Grove, including increases in temperature, more intense and frequent heat waves, more intense and frequent drought, higher frequency of catastrophic floods, more severe and frequent wildfires, and increasing rates of sea level rise and its impacts on increasing coastal hazards, and shoreline and bluff erosion.


BAKERSFIELD GENERAL PLAN

VULNERABLE COMMUNITIES

While all people in a community will experience climate change, some may be more affected than others. For example, older adults and young children may be more at-risk to heat illness during an extreme heat event. Sensitivity to climate hazards can be influenced by several factors, including differences in individual health, age, and ability, historic lack of investment or exclusion from political and decision-making ability, inequities in infrastructure and access to health care, economic opportunity, education and other services, and inequities in environmental and living conditions. Vulnerabilities in a community can inhibit that community's ability to adapt to or cope with climate change impacts.

Climate change will disproportionately impact certain populations in Bakersfield, as identified by several established tools like the Healthy Places Index (HPI 2018), U.S. Census Quick Facts (U.S. Census 2020), and CalEnviroscreen 4.0 data sets (CalEnviroscreen 4.0 2021). The California Adaptation Planning Guide establishes a process for identifying groups that are vulnerable to climate change (California Office of Emergency Services 2020).

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At a qualitative level, Rincon will evaluate the locations of the City's critical facilities and services (such as Fire Stations, evacuation routes, etc.) in relation to potential climate change impacts based on readily available geospatial data. The Climate Change Vulnerability Assessment will be prepared consistent with the latest (2020) California Adaptation Planning Guide, as described in California Government Code 65302(g) and the Office of Planning and Research's General Plan Guidelines. Rincon will utilize maps and data from existing plans and available sources of geospatial data, including:

- Internet-based Cal-Adapt tool
- Internet-based Healthy Places Index tool to identify vulnerable populations
- County of Monterey Multi-Jurisdictional Hazard Mitigation Plan (September 2022), of which Pacific Grove is a participating jurisdiction
- California's Fourth Climate Change Assessment, Regional Report
- Existing development in identified at-risk areas, including structures, roads, utilities, and essential public facilities
- California Coastal Commission Sea-level Rise Policy Guidance (Updated 2018)
- Ocean Protection Council (2018)
- NOAA Office for Coastal Management's sea-level rise projections data
- Pacific Grove Land Use Plan and Implementing Ordinances (January 2020)
- Pacific Grove Shoreline Management Plan – Vulnerability Assessment (November 2018)
- Pacific Grove Shoreline Management Plan (June 2020)
- Our Coast Our Future, which presents results from the Coastal Storm Modeling System (CoSMoS) developed by U. S. Geological Survey (USGS)

A key component of the Climate Change Vulnerability Assessment will be an evaluation of the potential for climate change to disproportionally impact vulnerable population groups (e.g., seniors, children, low-income communities, outdoor workers, etc.).



The Climate Change Vulnerability Assessment will rely on modeling scenarios per the California Adaptation Planning Guide, the Office of Planning and Research's General Plan Guidelines, and the California Coastal Commission's Sea-level Rise Policy Guidance updated in 2018. The Climate Change Vulnerability Assessment will be a qualitative analysis and will not include quantitative asset analysis by hazard area.

It is assumed that sea-level rise scenarios will be selected consistent with the Draft County of Monterey Multi-Jurisdictional Hazard Mitigation Plan (September 2022) which includes three sea level rise scenarios: 25 cm (2030), 75 cm (2060), and 200 cm (2100).

It also assumed that the one percent annual chance flood combined with the 2100 sea level rise scenario will be selected. Although the City of Pacific Grove has historically not retreated significantly since its shoreline is mostly dominated by exposed granitic rock, according to the County of Monterey Multi-Jurisdictional Hazard Mitigation Plan, sea level rise is expected to increase the exposure of Pacific Grove's coastline to erosion, exposing large areas of the city to coastal hazards. Therefore, a qualitative analysis will be done

to assess the impacts of sea level rise and coastal erosion on the City assets. This task assumes that the assessment will be based on readily available information (no modeling will be conducted) and that mapping will be based on geospatial data provided by the City or available online. Quantitative asset mapping and tabulation is not included in this task.

3.2.4 Emergency Access Analysis

SB 99 requires all cities and counties, upon the next revision of the Housing Element on or after January 1, 2020 to update the Safety Element to include information identifying residential development in any hazard areas identified in the Safety Element that do not have at least two emergency evacuation routes. Kimley-Horn will coordinate with City staff to develop a City wide map using ESRI that identifies communities with fewer than two ingress/egress routes and provide a narrative description of the implications for evacuation planning. The analysis will be used to determine whether the City should consider policies to address any identified access limitations or constraints. Kimley-Horn will document key findings and policy recommendations for inclusion in the Health and Safety Element. Rincon will incorporate policies and implementation programs in the Health and Safety Element.

As appropriate, information from the emergency access analysis will be included with the Executive Summary.

3.2.5 Evacuation Capacity Assessment

Kimley-Horn will prepare an evaluation of evacuation route capacity, safety, and viability under three: 1) Highway 68 and Lighthouse corridor, 2) Highway 68 only, 3) Lighthouse corridor only. The level of effort for this evacuation analysis can be adjusted based on further discussions with Pacific Grove.

To conduct this analysis, Kimley-Horn will host a preliminary virtual meeting with City staff to identify key evacuation routes that will expand on the City's GIS Base Map. Major hazard areas will be reviewed with the Transportation Element maps for the City to assist in identifying evacuation routes in the review area (limited to major arterials). Kimley-Horn staff will attend the meeting and anticipate agency staff will include emergency responder personnel and the City's Traffic Engineering and Planning team. This meeting will establish the assumptions for evacuation modeling. The AMBAG Travel Demand Model will be used for this analysis.

Additionally for this analysis, each neighborhood's principal evacuation route will be examined in terms of its capacity as measured by vehicles and passengers per hour versus the population to be evacuated. This will be conducted in GIS and a qualitative assessment since most roads are two-lane roads and evacuation will be based on shortest routes to the arterials. The potential for capacity augmentation under emergency conditions should be considered e.g., use of shoulders or contraflow traffic operation.

Safety will be assessed by examination of available collision data for the roadway and discussions with City staff. Viability will be assessed by evaluation of the vulnerability of the vulnerability of the route to obstruction and assumptions determined with staff.

Kimley-Horn will recommend mitigation measures to address constraints identified in the Emergency Evacuation Analysis. Rincon will incorporate the mitigation measures into the Health and Safety Element as policies and implementation programs.

As appropriate, information from the emergency access analysis will be included with the Executive Summary.

3.2.6 Transportation and Parking Analysis (Optional)

As an optional task, the update to the Transportation and Mobility Element will consider appropriate thresholds of significance (SB 743) in the operational performance evaluation for roadway facilities. It will also incorporate complete streets standards for all modes, including pedestrians, bicyclists, and transit. These efforts comply with the current best practices, such as the multimodal level of service (LOS) and Level of Traffic Stress methodologies as well as the Complete Streets legislation (AB 1358). Kimley-Horn has performed these analyses for several general plan updates in California and will assist the City in realizing its own complete streets goals as well as the requirements of the California Complete Streets Act.

Kimley-Horn will consolidate all existing and representative locally owned and operated City roadway traffic count data (pre-COVID shelter-in-place restrictions) and stratify this data by count source, facility type, and age of count. Existing traffic count data bases from the Association of Monterey Bay Area Governments Traffic Count Mapping webpage, the Highway Performance Monitoring System (HPMS), City, and the regional travel demand model validation counts will be examined for applicability along with State highway data and will work with the City to develop and collect additional data as necessary.

After all traffic count data has been gathered and processed, Kimley-Horn will perform the existing condition traffic operations analysis for local City roadways and all state highway facilities. Kimley-Horn will coordinate with the City as to whether intersections and multi-modal (Complete Streets) LOS analysis on select roadways within the City is desired. Kimley-Horn will work with the City for appropriate thresholds of significance for evaluating transportation impacts.

Based on the analysis described above relative to the applicable performance service standards for each facility analyzed, Kimley-Horn will identify existing deficiencies within the City. For facilities identified as deficient, Kimley-Horn will confirm with City and Caltrans District 5 staff (for State owned facilities) based on empirical field observations, data collection activities and other traffic operations analyses that may have been performed for the same facility and location. This will include an assessment and evaluation of active transportation systems, goods movement, aviation facilities, and Transportation Demand Management (TDM)/System Management (TSM) operations.

Kimley-Horn will extract on-street occupancy data from Big Data and perform a windscreen parking occupancy survey during the peak period for off-street parking lots on one weekday and one Saturday. The

data will be presented graphically and tabular format. Existing land use data that complements the parking demand in the business areas will be provided by the team/City in tabular and graphical format.

Based on the growth in land uses for the General Plan buildout scenario, parking demand based on ITE and ULI rates will be calculated and shortfall identified by street block location. Generic parking policies and goals will be developed for the General Plan based on the results. This analysis does not include an implementation plan.

Existing conditions data and maps on transportation, mobility and parking will be incorporated as appropriate into the Executive Summary.

3.2.7 Executive Summary

Rincon will prepare an Executive Summary of the existing conditions using the existing conditions and technical background reports prepared in Tasks 3.2.1 through 3.2.7. The Executive Summary will be a graphically oriented and succinct document and will include appropriate charts, maps, and infographics to convey the existing conditions information in a visually compelling manner. Rincon will prepare a Screencheck draft for City staff review and based on one set of consolidated comments will prepare a draft for review with the GPTAG prior to public release. After reviewing with the GPTAG, Rincon will prepare a final Executive Summary for public release.



Task 4 Architectural Objective Design and Development Standards

The Phase II approach to the Objective Design and Development Standards focuses on architectural objective design and development standards consistent with the community character goals of the community.

4.1 Catalogue Existing Objective Versus Subjective Provisions

To clarify needed actions, we will determine which standards, guidelines, and procedures are objective (independently verifiable) and which are subjective guidelines (open to interpretation). We will also distinguish between subjective guidelines that be easily rewritten to be objective, versus subjective guidelines that require interpretation by City staff or a decision-making body. We will also note topics associated with best planning practices but not addressed.

Based on knowledge of community member and decision maker attitudes, City staff will meet online with WRT to consider which existing subjective provisions should be carried forward and which can be removed. We will organize discussion by distilling subjective provisions from the catalogue of existing provisions.

4.2 Place-Types and Building Types

To connect ODDS to Pacific Grove's character, WRT will refine the place type map and definitions (developed in the GPU existing conditions analysis), such as to consider historic periods for each place type as described in Pacific Grove's Historic Context Statement. For four identified place types, we will catalogue representative building types using photographs and narrative. We will consider characteristics, such as: setback/build-to lines, massing, entry patterns, parking configurations, building cadence & modulation, materials & color, cornice lines & roof form, predominant styles, and other character-defining features. The most common residential only and mixed-use, and accessory building types will be considered. We will compare place type locations and attributes to existing zoning district locations and requirements. The ODDS will include standards tailored to Pacific Grove's unique architectural character.

4.3 Recent Precedents

WRT will review up to eight recent project precedents for multi-family projects, which will be selected in conversation with Rincon and City staff. City staff will be responsible for gathering zoning applications for the representative projects, along with project presentations, precedent drawings and programmatic summaries. We will summarize the most relevant information, and context-sensitive design solutions will be highlighted.

4.4 Organization of Standards

WRT will develop an outline to describe how standards might be organized in the PG Municipal Code (PGMC) and Forest Hill Specific Plan. The organization of the PGMC and will be respected to maintain continuity, while integrating a limited set of form-based standards addressing building mass (but not cadence), setback & build-to, entry requirements (but not detailed frontage requirements), transparency (extent of windows but not their pattern), and parking configuration (but not parking lot and garage design) essential for maintaining some consistency with Pacific Grove's character. We propose to keep allowable use and building envelope standards in existing district-specific sections. The outline will build on existing objective standards and only interpret subjective guidelines to address limited form-based standards as noted above.

4.5 Initial Drafts

Initial draft materials are for review by staff assigned to this project. We propose that draft standards be developed in increments that allow for orderly review. We will use/adapt established standards to the extent possible. Diagrams will accompany key design standards.

- District-Specific Standards: allowable use, residential density, floor area ratio, building envelope (height & setback), parking ratios (by Kimley Horn), building types, and streets with ground-floor commercial frontage required/allowed.
- Building Design Standards: commercial and residential street frontage, building entry and transparency (window area), massing increments, façade elements & articulation, block size limitations (for large sites), exterior finishes, cornice & roof form, and requirements specific to building types, etc.
- Architectural Styles: standards to attain particular styles can be developed as additional service, such as for districts where historic resources are concentrated.
- Site Design Standards: landscaping, vehicle ingress/egress, private & semi-private opens space, privately-owned public open space (for larger projects), paseos & plazas, walls & fences, etc.
- Public Right-of-Way Improvements by Developers: sidewalk improvements, street trees, light standards, etc.
- Subdivision Standards: while most subdivision standards are objective, some rely on subjective determinations by public officials and WRT will flag these for consideration by City engineers.
- Signs: cursory review indicates that existing standards are largely objective and little additional work will be needed.
- Parking & TDM: recommended parking ratio and TDM requirements by Kimley-Horn.
- Green Buildings: performance based CALGreen standards may be substituted for green building guidelines within subdivision standards, GreenPoint or LEED certification may be used if higher levels of performance are desired.
- Definitions: using established nomenclature wherever possible with addition of nomenclature to address building scale and community character.

While ultimately PGMC standards and Specific Plan standards will reside in separate documents, we propose to develop both sets of standards in parallel and according to the functional groupings above. This will encourage consistency and identify ways to consolidate some provisions within the PGMC. We will issue drafts for one or more groupings incrementally and will meet with staff after they have had an opportunity to review. As we develop ODDS, we will list remaining issues of concern.

4.6 Administrative Draft

The administrative draft will address staff comments to prior drafts, GPTAG input, and joint study session direction. The administrative draft is for review by project staff, the City Attorney, public works department, and other interested departments. For orderly review, we propose that an administrative draft for Municipal Code ODDS be issued ahead of a separate draft of Specific Plan ODDS (that will contain references to the Municipal Code). Specific Plan ODDS will be presented "stand-alone" and we will not engage other changes to the Specific Plan. For the Administrative Draft, graphics will be provided as a separate attachment. City staff will be responsible for providing our team with a single consistent set of comments.

4.7 City Clarifications and Final Direction

After we have had an opportunity to review City comments and list concerns, WRT and Rincon will meet with representatives from interested departments and the City Attorney in a one-day work session.

WRT will revise ODDS to address City comments and clarifications. These will first be provided in Word. Staff will return this draft with edits and comments.

After edits are received in Word, WRT address edits and layout text and graphics in InDesign, using the layout template developed by Rincon for the GPU. After careful internal review, we will provide City staff with a check print draft to provide the City with a final opportunity for revision.

4.8 Public Review Draft

WRT will make final refinements. The public review draft will be provided in two PDF files (for viewing on the web and for printing). Word, InDesign, and image files will also be provided.

Deliverables

- Color-coded Provisions Catalogue and Summary Memo evaluating existing provisions as noted
- Place Type Map, Catalogue of most common building types, photographs of local examples, comparison of place types and building types to existing zoning districts and requirements, and summary memo incorporating these elements
- PowerPoint summary of multi-family precedents
- Outline of standards with options and highlighting subjects requiring guidance
- Draft standards (for each grouping) in "track changes" and "clean" format, diagrams for key design standards, and five online meetings with staff.
- Draft narrative to accompany drafts, PGMC ODDS administrative draft using "track changes" and "clean" PGMC ODDS administrative draft
- Specific Plan ODDS administrative draft using "track changes" and "clean" Specific Plan ODDS administrative draft
- Architectural ODDS Public Review Draft

Task 5 General Plan Updates

5.1 First Administrative Draft General Plan

The Rincon team will prepare the Administrative Draft version of the General Plan for City staff review. The General Plan will be internally consistent and conform to applicable provisions of State general plan law as outlined in Government Code Section 65302 and recent legislation, using the 2017 California Office of Planning and Research (OPR) General Plan Guidelines, the most recent local and regional best practices, and incorporating Pacific Grove priorities and input gathered during the community engagement process.

Specific content and organization of the elements of the General Plan will be refined through the engagement process and discussion with staff; however, we expect the Administrative Draft of the Focused General Plan to include:

5.1.1 Land Use Element (Community Character)

The Rincon team will update the goals, policies and implementation programs to community character and community design concerns, including:

- **Community Design.** With support from WRT, Rincon will develop policies to support context-appropriate buildings and opportunities for context-sensitive architecture and other community design features.
- **Public Realm Connections.** With support from WRT and Kimley-Horn, Rincon will develop policies to support creating stronger connections through public spaces such as streetscape improvements, active transportation facilities, landscaping and building treatments and arrangements.

As noted previously, these updates are intended to create policy consistency with objective design and development standards. Land use changes are not anticipated during Phase II.

5.1.2 Transportation

The goals, policies and implementation programs in this section of the General Plan will cover Complete Streets, City Bicycle and Pedestrian Plan, Vision Zero, SRTS and other multimodal considerations including:

- **Complete Street Roadway Classification.** Recommendations will be made regarding street cross sections and converting existing roadways to Complete Streets. The classification would be done by street function and by the land use specifics and areas it serves, such as commercial, downtown industrial, or residential neighborhood. We will review the current roadway classification system and make recommendations for changes to the classification to meet Caltrans requirements for grants for Complete Streets. GIS mapping will illustrate the classification system.
- **Complete Street Concepts.** Kimley-Horn will develop conceptual layouts and cross sections that will be used for the General Plan and VMT mitigation banking projects.
- **Bicycle and Pedestrians.** Gaps in the City Bicycle and Pedestrian Map will be determined, and based on traffic growth, opportunities identified for improved bicycle and pedestrian facilities. The City Bicycle and Pedestrian Plan map will be updated in GIS indicating the class and alignment on the City street network.
- **Safety.** The City's Vision Zero future conditions reduction will be incorporated into the General Plan. Safe Routes to School policies will also be refined. However, this scope of work does not include detailed Safe Routes to Schools analysis and planning.

5.1.3 Health and Safety

Rincon will identify goals, policies and implementation programs to address wildfire, seismic, flood, hazardous materials, and climate change risks, along with goals, policies and programs to address needs associated with emergency response and emergency evacuation. The Health and Safety element will be comprehensively updated with new background descriptions and maps, based on the reports prepared under Task 3. Goals and policies will aim to minimize risk associated with potential hazards and build

capacity to respond to long-term stress and short-term disruptions associated with hazard events, working towards creating a resilient, sustainable Pacific Grove community:

- Natural Hazards
- Evacuation Routes and Capacity
- Emergency Response and Emergency Preparedness
- Fire, Police, and EMS
- Hazardous Materials
- Noise
- Personal Safety
- Climate Change





5.2 Second Administrative and Public Draft General Plan

Rincon will prepare a Second Administrative Draft General Plan based on comments provided by City staff and the GPTAG on the First Administrative Draft. We assume one round of comments, including editorial and formatting edits for the Second Administrative Draft. We assume that the second administrative draft will require only minor revisions. If significant revisions are required, Rincon will work with City staff to mutually agree on adjustments to Rincon's scope and fee to address revisions. The Public Draft General Plan will then be presented to the Planning Commission and City Council as either individual or joint study sessions (see Task 9) and made available for review by the public.

Rincon will submit the Health and Safety Element for CAL FIRE review and address one round of comments from CAL FIRE. Rincon will submit the Final Safety Element for the Board of Forestry and Wildfire Protection review in keeping with AB 3065 to issue a recommendation prior to the City Council's adoption hearing date. Rincon would attend one meeting with CAL FIRE and would attend the Board of Forestry and Wildfire Protection hearing.

A final public hearing draft of the General Plan will be prepared following public review. This scope assumes only minor revisions to the public hearing draft. If significant revisions are required, Rincon will work with City staff to mutually agree on adjustments to Rincon's scope and fee to address revisions.

Deliverables

- First and Second Administrative Draft General Plan
- Health and Safety Element submittal to CAL FIRE (up to two rounds of review)
- Health and Safety Element final submittal to Board of Forestry and Wildfire Protection
- Attendance at one meeting with CAL FIRE
- Attendance at one board meeting with the Board of Forestry and Wildfire Protection
- Public Draft General Plan
- Public Hearing Draft General Plan

Task 6 Economic Analysis (Optional)

As an optional task, EPS will assess the underlying socioeconomic and real estate market context for the Pacific Grove General Plan Update. This technical analysis will cover key demographic, economic, and real estate factors affecting the City and its role in the broader region. The goal will be to identify and provide a clear understanding of demographic trends, the strengths of the local economy, the city's key competitive attributes, and challenges and opportunities influencing sustainable long-term growth that might be addressed by the General Plan Update.

If the optional Economic Analysis is chosen, EPS will also participate in the Phase II kickoff meeting in Task 1.1 and participate in up to two virtual Stakeholder Interviews in Task 2.5.

Socioeconomic Trends

EPS will analyze local socioeconomic characteristics, trends, and growth projections. The analysis will consider demographic and economic factors that inform and highlight land use opportunities and constraints in Pacific Grove. The primary purpose of the work is to offer context for community and stakeholder outreach discussions, to provide data for the visioning and planning process, and to support the land use alternatives and economic development policies for the General Plan. Relying on publicly available data (e.g., US Census Bureau, California Department of Finance, California Employment Development Department) as well as proprietary, third-party data sources, EPS will assemble and evaluate population and jobs data, including employment by industry. The analysis will look backward and forward ten to twenty years and will consider Pacific Grove, nearby jurisdictions, and the region. EPS will rely on available projections of growth in the region and in Pacific Grove. The analysis will provide key inputs to forecasting various General Plan alternatives. To support equity considerations, various population and household data will be considered by race and income, as may be appropriate. This data will be available for incorporation into the team's Existing Conditions effort.

Economic Drivers and Trends

An assessment of citywide and regional economics will consider major economic drivers and business trends. It is anticipated that local business conditions, economic diversification, employment for local residents, and the evolving retail industry may be key topics of the assessment. The effort will build on the socioeconomic data and will include additional subject-specific data research. This information will be synthesized to provide a cogent perspective on local and regional economic themes. As part of this task, EPS also will consider City economic development efforts, including City revenue factors and anticipated future capital improvements.

6.4 Real Estate Market Assessment

EPS will establish and document real estate market trends in Pacific Grove. As part of the market analysis, EPS will consider market statistics as well as detailed information concerning new, high-performing local and regional comparable projects, including their market positioning, architectural formats, tenanting, amenity offerings, and market value. The assessment also will consider potential development sites based on direction and data from City staff. The Real Estate Market Assessment will cover standard land use types, including residential, office, industrial, retail, and hospitality uses.

6.5 Economic Development Strategies

Based on information collected, EPS will synthesize the City's primary economic strengths, weaknesses, opportunities, and threats ("SWOT"). This effort will organize the City's economic context and local stakeholder input in a way that leads to identification of salient economic development considerations. The SWOT assessment will offer a digestible overview of economic development potential and will guide identification of potential economic development strategy options.

Relying on the SWOT assessment and building on professional experience in economic development, real estate, and public finance, EPS will define a broad set of possible economic development approaches. In consultation with City staff, potential strategies will be revised and/or refined and organized around the main economic development goals of the City.

Task 7 CAAP (Optional)

The City Council took a major step towards preparing a Climate Action and Adaptation Plan (CAAP) when it unanimously supported the CAAP Concept Review in November 2022. As a member of the U.S. Conference of Mayors' Climate Protection Agreement, a CAAP will provide the City with a formal set of strategic and actionable goals that build from the City's existing climate action projects. We understand that the City is interested in developing a CAAP that will include a greenhouse gas (GHG) inventory, specific GHG emission reduction targets, and climate actions (e.g., transportation, energy, community outreach) designed to meet the identified targets. The CAAP will also build from existing vulnerability assessments and adaptation plans (e.g., City of Pacific Grove Climate Change Vulnerability Assessment, Shoreline Management Plan) to establish specific climate adaptation and restoration actions that will collectively advance equity, resiliency, sustainable ecosystems, and cultural preservation across the City.

Rincon has developed the scope of work below that will allow the City to accomplish these objectives through the development of a CAAP.

7.1 CAAP Kickoff Meeting and Monthly Meetings

High-quality project management during each task is an integral component related to the success of the overall General Plan update. This task includes the management of the CAAP, including a kickoff meeting and monthly check-in meetings. The kick-off meeting will serve as an opportunity to identify key stakeholders to engage as part of the community engagement strategy for the CAAP and data needs, project expectations, and goals and potential challenges for the CAAP. Rincon will also convene regular monthly check-in meetings to keep the CAAP aspect of the project on task, budget, and schedule.

Assumptions

- Rincon will host a (one-hour) virtual kick-off meeting, attended by the Rincon CAAP Task Lead, CAAP Principal-in-charge, Resilience and Equity Lead, and the overall General Plan Update Project Manager.
- Monthly project meetings will be one-hour in length, held virtually, and attended by Rincon's CAAP Task Lead. The CAAP Principal-in-charge, Resilience and Equity Lead, or climate analysts will attend as necessary based on the phase of the project.

- The project management was established based on the assumed CAAP portion of the project schedule (18 months). Thus, additional time and budget will be required if the project schedule is extended by the City.

Deliverables

- Virtual kick-off meeting
- Monthly coordination calls and related meeting agendas/minutes

7.2 Existing Measure Analysis and Success Tracking

The Rincon Team will begin reviewing relevant City documents and begin preparation of our Measure Analysis and Success Tracking (MAST) tool, which will summarize and grade the success of, as well as identifies hurdles to, the City's existing climate mitigation and adaptation policies and programs. The MAST tool will inform the development of the CAAP measures. The MAST tool allows the consultant team to familiarize themselves with the previous and ongoing work within the City related to reducing GHG emissions and increasing resilience to better inform the development of new measures and actions.

After populating the MAST tool with existing policies and programs, and qualitative criteria developed by the consultant team and approved by the City, the tool will be provided to the City to evaluate the status and impact of each policy and program. The MAST tool includes a drop-down menu to easily select the status of the measures as either completed, underway, or not yet started. Other drop-down menus include the qualitative evaluation criteria that allow for ranking effectiveness of the policies and programs, including clear metrics, responsible parties, and identified funding. This process allows both the consulting team and City to gain insights into hurdles to implementation, be it funding, staff time, or other items, that we can focus on overcoming during the CAAP update process. Rincon intends to review the following plans and programs/policies:

- Monterey County Multi-jurisdictional Hazard Mitigation Plan (i.e., Volume 1 and the City of Pacific Grove's Annex in Volume 2) (2022)
- Coastal Wildlife Protection Advisory Committee's Recommendations to Mitigate Identified Threats to Coastal Wildlife (2021)
- Shoreline Management Plan (2020)
- Climate Change Vulnerability Assessment (2015)
- General Plan – Health and Safety (1994)
- General Plan – Transportation (1994)
- Pacific Grove Highway 68 Study (2016)
- PG&E LED Streetlight Upgrade Program (2018)
- Leaf Blowers – Restrictions on Use in the Pacific Grove Municipal Code (2021)
- Reduction of Single-Use Plastic and Paper Carryout Bags in the Pacific Grove Municipal Code (2015)
- Sustainability Best Practice Activities (2020)
- Trees and the Urban Forest in the Pacific Grove Municipal Code (updating 2022)
- Urban Greening Plan (2016)
- Landscape Guidelines & Plant Palette (2016)
- Urban Tree Canopy Assessment (2015)
- Local Water Project
- RainScape Rebate Program
- American Water Company (Cal-Am) Annual Water Quality Reports
- Cal-Am Water Conservation Programs

Rincon proposes to provide this analysis along with a summary presentation of key findings as part of a technical memorandum.

Assumptions

- City will provide relevant data and background documents for review
- City will identify status of each policy and program included in the MAST Tool

Deliverables

- MAST Tool
- MAST Tool Key Findings Memorandum

7.3 GHG Inventories, Forecast and Targets

Rincon is an expert in GHG emission inventories, forecasts, and the importance of defensible and consistent methodologies in the generation of a qualified GHG Reduction Plan. Rincon's team includes CARB Accredited GHG Verifiers for the State's CAP and Trade program who have completed GHG inventories, forecasts, and third-party verifications for clients across the State. We are also very familiar with AMBAGs approach to developing GHG inventories and have reviewed developed multiple CAPs based on the Inventories developed as part of the Energy Watch program. As part of this work scope, Rincon will review all of the available AMBAG inventories for 2005, 2009, 2010, 2015, and 2018. As part of our analysis, we will review all of the inventory data for completeness and accuracy and ensure that the GHG emission inventories utilize accurate emission factors and consistent methodologies. Based on past experience working with AMBAG's inventories, we are aware of existing discrepancies in their data that we would fix to provide a more accurate depiction of emissions for Pacific Grove. Should we discover anomalies not already anticipated, additional fixes will be charged on a time and materials basis in keeping with our Fee Schedule (see Section 5). Rincon will work with the City to collect the required data for the GHG inventory updates. Rincon assumes all required data will be provided by the City in excel format with linked calculations. Once all data has been reviewed, Rincon will submit a draft data evaluation form with any suggested updates to the inventories.

After receiving feedback from the City, Rincon will update the data and calculations as necessary and submit a final data evaluation form as well as all supporting calculations in a transparent excel based format.

From the updated GHG emissions inventories, Rincon will develop a GHG emissions forecast for the City. The forecast will include both a business-as-usual (BAU) and a legislative-adjusted (Adjusted) forecast scenario. The BAU forecast will be based on the most recent updated GHG emissions inventory and expected growth utilizing the population, housing, and job projections in line with the focused General Plan update, as well as the VMT calculations that Kimley-Horn will complete consistent with the update to the Transportation Element. The Adjusted forecast will include state and federal legislative adjustments such as Low Carbon Fuel Standard, Pavley Clean Car Standards, SB 1020 renewables portfolio standard, Title 24, and transportation legislation affecting electric vehicle adoption and tailpipe emissions. From the forecast, Rincon will develop the minimum GHG reduction targets to be consistent with SB 32 and AB 1279. Rincon will provide a memorandum summarizing the GHG emission forecast and GHG reduction targets, including options for target setting such as per capita targets.

Deliverables

- Data Request
- Draft Data Evaluation Memorandum
- Final Data Evaluation Memorandum
- Updated Inventory (Excel)
- Final Forecast and Targets (Excel)
- Final Forecast and Targets Memorandum

7.4 Draft and Final CAAP Strategy Selection

Once the provisional GHG emission reduction targets have been established, Rincon will shift to developing specific measures that will allow the City to reach these targets, adapt to climate change, and advance climate restoration. We will leverage our existing climate action and adaptation planning toolkit to conduct this analysis. To support this process, Rincon has developed a suite of tools and assessment strategies to support what we have found to be the most critical portion of the work plan.

7.4.1 Draft CAAP Strategy Selection

During this phase, the Project team will draw on our experience developing CAAPs and adaptation plans for other neighboring communities like Santa Cruz, Carmel by the Sea, County of Santa Cruz, and County of Santa Barbara. Drawing on the collective outputs of the MAST Tool, GHG inventory, forecast, climate vulnerability assessment prepared as part of Focused General Plan Update Task 3.2.3, and feedback from the community and stakeholders as part of Task 2 Community Engagement, the Rincon Team will identify and recommend strategies which will have the greatest positive impact on GHG emissions, climate resilience, and climate restoration citywide.

We have leveraged our past CAAP development and implementation experience to identify key measures that will allow the City to make substantial progress towards GHG reductions and increase climate resilience and restoration. These include:

- Carbon free electricity procurement
- New and existing building electrification
- VMT reduction through transit and active transportation
- Electric vehicles
- Organics diversion
- Carbon sequestration
- Emergency evacuation preparedness
- Climate resilience hubs
- Holistic healthy home retrofits

These strategies have emerged as critical in the achievement of nearly all GHG reduction goals.

Rincon will begin with these strategies and develop our in-house Scenario Planning and Reduction Quantification (SPARQ) tool. The SPARQ tool will allow Rincon and the City to quickly iterate on potential levels of implementation for each of the above strategies to find a level of implementation that will allow the City to meet its long term GHG reduction targets.

7.4.2 Scenario-Planning for CAAP GHG Reduction Strategies

Once the key strategies and level of reduction required in each sector is identified, Rincon will begin developing a suite of actions that can be implemented to achieve the required reductions. The development of actions is the most complex portion of the work scope, requiring a careful balance between stakeholder feedback, cost-effectiveness, progression, and feasibility. To aid in this process, Rincon has developed the following frameworks.

Equity Guardrails

Rincon worked with the numerous cities, such as Santa Cruz and Berkeley, to develop equity guardrail framework to assure equity analysis of all measures and actions and promote holistic implementation. This framework requires collaboration with the community and stakeholders to identify the core impacts on equity that may be seen due to the implementation of GHG reduction and adaptation actions. Issues like increased costs, inequitable access to benefits, displacement, and others have been identified in other communities. These concerns are then distilled into four or five equity guardrails that then serve as requirements against which GHG reduction and adaptation actions are analyzed against. The equity

guardrails approach helps to ensure equity is included throughout the CAAP update in a transparent and holistic way.

Key Pillars to Successful Climate Action and Adaptation

Rincon has also developed several key pillars for which each strategy must address in order to have the highest chance of being implemented. The key pillars include:

- **Education:** engage and empower residents
- **Structural Change:** set institutional and policy framework to support proposed changes
- **Associated GHG Reductions:** target emissions reductions for long-term sustainability and short-term air quality improvements
- **Address Key Vulnerabilities:** targets climate adaptation strategies for the community members and natural and built assets most at-risk to climate change
- **Equity:** ensure inclusive participation in decision making and equitable distribution of benefits across the community
- **Connectivity:** promote access to community groups and resources that are best positioned to lead implementation actions
- **Economical:** cost-effective efforts that benefit resilience and sustainability

Every measure identified for the City should strive to have an action that aligns with each of the key pillars to maximize the implementation of the CAAP.

Community Feedback

The community feedback solicited as part of Task 2 Community Engagement will be used to inform the development of the goals, measures and actions for the CAAP. It will also identify community partners that will assist with the City's implementation of the CAAP.

7.4.3 Updated Measures and Action List

Based on the criteria above, Rincon will develop a draft list of GHG reduction measures and actions that will align with the City's GHG reduction targets for 2030 and 2045, as well as measures and actions addressing climate adaptation and climate restoration. Rincon assumes this list of actions will go through one round of City staff and CAAP task force review (a task force identified in the CAAP Concept Review) before being shared with the Beautification and Natural Resources Commission, and then the community and other key stakeholders. To facilitate input from City departments, Rincon will host up to two interdepartmental meetings in a virtual setting to discuss the measures and action list. Rincon will also attend a Beautification and Natural Resources Commission meeting to present the Measures and Action List for discussion and input. Once comments are received from the identified stakeholders, Rincon will assess any policy or program gaps and identify additional opportunities for emission reductions and climate resilience and conduct an in-depth analysis of each strategy to quantify the GHG reduction, co-benefits, approximate implementation costs, and potential funding sources. This will also include the recommended City involvement (e.g., role, department lead), linkages to exiting City plans, codes, or activities, and the identification of stakeholders and partners essential to the successful implementation. Once the initial analysis is completed, we will work with the City to refine and prioritize the emission reduction, climate adaptation, and climate restoration measures and use them to develop the Draft CAAP. The CAAP will need to be flexible to enable the City to respond to changes in state and federal GHG and resilience policy, the introduction of new technologies, and changes in energy supply, among others.

Rincon will provide suggestions on the final list of strategies and the associated metrics of success including a timeline and actionable steps. However, using our quantification and scenario-planning tools, the City will have the ability to fine-tune these suggestions and settle on a list that can be feasibly implemented but also achieve the desired results of overall GHG reduction and support of regional stakeholder initiatives.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated City departmental and CAAP task force comments on the draft measures and action list. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (attached).
- The City will select measures and actions that can be supported by substantial evidence to achieve their goals.
- Rincon has budgeted for the time it takes to incorporate edits from one round of community feedback, including input from the Beautification and Natural Resources Commission, on the draft measures and actions, which would be received via workshops associated with Task 2 of the Focused General Plan Update.
- Rincon anticipates that the targets will be consistent with current state recommendations, including SB 32 and AB 1279.
- City interdepartmental meetings to solicit input from City departments will be held virtually and be up to one hour each
- Rincon will attend the Beautification and Natural Resources Commission remotely, assuming the meeting will be up to two hours in length

Deliverables

- Analysis of CAAP Strategies/Measures Scenarios
- Measure Quantification Spreadsheet
- Draft List of CAAP Strategies
- Public Draft CAAP Strategies
- Final List of CAAP Strategies
- Attendance of CAAP Task Lead at two City interdepartmental meetings
- Attendance of CAAP Task Lead at one Beautification and Natural Resources Commission meeting

7.5 Measure Technical Appendix

The CEQA Guidelines Section 15183.5(b) establishes criteria to guide the preparation of a "plan for the reduction of greenhouse gas emissions." Subsection (D) notes that a CEQA Guideline-consistent GHG reduction plan must include, "measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." Thus, the primary distinction between a qualified CAAP and one that isn't considered qualified is the level of substantial evidence that clearly demonstrates that the GHG reduction claimed in the CAAP is achievable. This technical appendix would clearly detail all the evidence to demonstrate that the measures and actions included in the Pacific Grove CAAP can achieve the City's emission reduction targets for 2030. The GHG reductions from the specific measures would be calculated using published third-party evidence provided through controlled investigations, studies, and articles carried out by qualified experts that establish the effectiveness for measures and actions. The appendix will clearly display the estimates and work through the underlying calculations that would be provided in this report would include the substantial evidence and a transparent approach to achieving the City's GHG emissions reduction target. Rincon would complete the draft and provide it to the City for review and then address one set of consolidated comments on the document. After the comments are addressed, a finalized version would be provided to the City for inclusion in the Final CAAP.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (Section 4).

Deliverables

- Draft and Final Qualified CAAP Technical Appendix

7.6 Implementation and Monitoring Plan

To facilitate implementation and monitoring of the CAAP, Rincon will develop an Implementation Plan that provides a summary of each of the measures, implementation timeframe, KPIs, and lead department, in a tabular format. In addition, the Implementation Plan will provide a column for the lead department to take notes and track progress over time. Designing a comprehensive, yet succinct Implementation Plan in the CAAP will provide the City with a tracking mechanism that can be used overtime as progress is made on individual measures and be updated in future iterations of the CAAP, as necessary, to help guide the City on the way to achieving the long-term goals. It is anticipated that the Implementation Plan will be completed in either Microsoft Word or Excel, depending on the preference of the City, and will integrate all the GHG emissions reduction and adaptation measures.

Assumptions

- Upon finalization of the GHG emissions reduction and adaptation measures, Rincon will complete an Implementation Plan that can be used by the City to track progress implementing measures over time.
- Implementation Plan will be included in the CAAP.
- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule

Deliverables

- Draft and Final Implementation Plan (Excel)

7.7 Develop Draft and Final Climate Action and Adaptation Plan

Once a complete list of measures is reviewed and approved and community and stakeholder feedback has been incorporated, Rincon will begin work on a draft CAAP. Rincon proposes to develop a user friendly and readable CAAP which leverages infographics, photos, and other visuals whenever possible and leaves all technical documentation to the appendix. To maintain cost efficiencies, the CAAP will be prepared in word format, and will be appended to the Focused General Plan Update. The CAAP will include both near-term and long-term reduction measures. The CAAP will also set key performance indicators (KPI) which will help define a successful implementation of the CAAP strategy as well as measure progress over time.

One of the greatest challenges of designing a climate action and adaptation planning document format is the simultaneous need for both clarity and complexity. The document needs to be easily accessible to a wide range of stakeholders, while also containing detailed analysis, data, and specific actions. To solve this problem, the consultant team proposes to:

- Create a virtual Executive Summary which will contain interactive elements as well as infographics, photos, and high-level goals and projects associated with the CAAP.
- The main CAAP document will also be visually driven, but also include the robust text necessary for a clear, implementable, and defensible CAAP.
- The third document is the technical appendix which will include a highly transparent review of the data,

> Throughout the CAAP development process Rincon will work to find synergies between adaptation and mitigation measures. Many actions including electrification, urban greening, and local energy and water use can help reduce GHG emissions and make Pacific Grove more resilient to climate impacts. Within the CAAP we will work to tie these benefits together to provide an integrated plan that maximizes

methodologies, and assumptions that went into the development of the forecast and measure quantification.

Together, these documents will provide actionable next steps and a long-term strategic framework for the City of Pacific Grove to reach their GHG reduction targets and climate resilience goals.

The team will prepare a comprehensive plan that will be consistent with the State Attorney General's recommendations and the CEQA Guidelines' definition of a "Qualified Greenhouse Gas Reduction Strategy" (Section 15183.5). The CAAP will also align with the City's existing policies. The plan will provide a framework that reimagines the current systems – built, natural, and behavioral – as ones that are interconnected and mutually beneficial. The plan will also integrate measures that improve quality of life, build prosperity, and enhance community resilience. Specifically, the CAAP will:

- Clearly explain the community's climate challenges, and the challenges and opportunities it faces in meeting more ambitious climate adaptation and GHG reduction goals
- Serve as a mechanism to tie together the City's existing and developing sustainability initiatives, strategies, and plans with the community's goals
- Establish a set of cohesive and specific sustainability strategies, implementation plans, and metrics for regional and state strategies and initiatives
- Activate and engage residents, businesses, and institutions with positive actions and tangible benefit
- Be optimized for online viewing on the City's website In accordance with current requirements for public agencies, the CAAP will also be Section 508 compliant. The Americans with Disabilities Act of 1990 (ADA) Title II and California Government Code 7405 require all government public entities to make their digital content accessible prior to posting content online for public viewing. Essentially, any local body that is offering public services on behalf of the government must make their digital content accessible to people with disabilities.

Rincon understands the accessibility requirements and the impact such requirements have on governmental entities. While immediate overall compliance of an entity's web- based materials may be cost prohibitive, step-by-step progression towards compliance is viewed affirmatively by the California Department of Justice and the California Governor's Office.

Assumptions

- Edits to the draft measures and actions after they have been approved by the City requires substantive edits to the measures calculations, technical appendix and CAAP document. Therefore, if edits are requested after the measures calculations, technical appendix and CAAP document have been initiated, revisions will be completed on a time and materials basis in accordance with our standard fee schedule.
- All comments on the First Administrative Draft CAAP will be provided to Rincon in one consolidated set from the City and CAAP Task Force.
- Response to comment of up to five substantive public comment letters and emails on the Public Draft CAAP.
- No hard copies will be provided.

Deliverables

- First Administrative Draft CAAP (Word)
- Second Administrative Draft CAAP (Word)
- Public Draft CAAP (PDF)
- Final CAAP (PDF)
- Draft Website/Executive Summary

- Final Website/Executive Summary

7.8 CEQA GHG Streamlining Checklist

Rincon will create a project-streamlining CEQA GHG Checklist that will allow project-level developments within the City to tier from the programmatic CAAP CEQA analysis (prepared under Task 8) for project/plan-level GHG emissions analyses in order to demonstrate consistency with the State reduction targets and CEQA Guidelines. Rincon has completed some of the first GHG checklists in California, and we will leverage our deep bench of in-house environmental planners to ensure consistency with CEQA Guidelines Section 15183.5. Upon receipt of one set of consolidated vetted comments on the Draft CEQA GHG Checklist from the City, Rincon will address comments and prepare and submit tracked and clean versions of the Final CEQA GHG Checklist to the City.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (Section 4).

Deliverables

- Draft City CEQA GHG Checklist (one electronic copy)
- Final City CEQA GHG Checklist (one electronic copy)

7.9 CEQA GHG Thresholds

In addition, if the City proceeds with development of CEQA GHG thresholds, we would include assessment of the thresholds as part of the programmatic EIR to confirm that appropriate CEQA review of the updated thresholds occurs as part of the process and in an efficient manner. This would be done in conjunction with preparation of the programmatic CAAP CEQA analysis (prepared under Task 8, CEQA Analysis). While it is anticipated that the CEQA GHG thresholds would result in minimal environmental impacts, inclusion as part of the programmatic CAP CEQA analysis means that the thresholds are adequately analyzed under CEQA and adopted via a public review process.

Overall, development of CEQA GHG thresholds would specifically assist with defensibility of future CEQA GHG analyses consistent with CEQA Guidelines Section 15064.7(b) by:

1. Providing a basis of scientific and factual data (e.g., City GHG inventory, forecast, and targets);
2. Providing a threshold under which a project or plan's impacts would be considered less than significant;
3. Being supported by substantial evidence; and
4. Being developed and adopted via a public review process.

The locally appropriate CEQA GHG efficiency threshold will also be created to comply with the State CEQA Guidelines and interpretative GHG case law such as Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming (2015) 224 Cal.App.4th 1105, Save Cuyama Valley v. County of Santa Barbara (2013) 213 Cal. App.4th 1059, 1068, and Golden Door Properties, LLC v. County of San Diego/Sierra Club, LLC v. County of San Diego (2018) 27 Cal.App.5th 892, regarding the correlation between State and local conditions.

After developing the CEQA GHG thresholds, Rincon will prepare a concise guidance document for use by City staff in evaluating submitted CEQA GHG emissions analyses and by applicants in preparing CEQA GHG emissions analyses. The guidance document will detail a defensible approach for evaluating GHG emissions impacts in analyses prepared pursuant to CEQA. The document will also provide substantial evidence of the methodology's consideration of Statewide GHG direction provided by the California Air Pollution Control Officers Association (CAPCOA), CARB, and OPR as well as recent relevant case law.

The guidance document will include the following sections:

1. Regulatory setting
2. Summary of the City CAP Update
3. Detailed expectations of GHG analyses for use in CEQA documents
4. Methodologies for quantifying GHG emissions from land use development projects and how to include GHG emission reductions associated with the CAP and from State legislation
5. Calculation of a locally appropriate service population threshold that aligns with the State
6. 2030 target, the CARB 2017 Climate Change Scoping Plan, recent court rulings, and land uses within the City
7. List of potential measures and design features that can reduce GHG emissions from land use projects and how to calculate their effects on project or plan emissions

Deliverables

- Draft CEQA GHG Thresholds and Guidance Report (one electronic copy)
- Final CEQA GHG Thresholds and Guidance Report (one electronic copy)
- Adding assessment of the CEQA GHG Thresholds to the overall EIR (see Task 8, CEQA Analysis)

Task 8 CEQA Analysis (EIR Addendum)

Phase 2 of the GPU will include preparation of the Circulation Element, Safety Element, and, if the optional task is selected, the Climate Action and Adaptation Plan (CAAP). The Circulation Element is not anticipated to identify new transportation improvements that would result in a physical effect. In addition, Safety Elements and CAAPs typically do not generate significant environmental impacts, which primarily arise from land use development. Because land use development, which is facilitated by the Land Use Element prepared under Phase 1, will be analyzed in the Phase 1 GPU EIR, Rincon proposes to prepare an EIR Addendum for the Phase 2 GPU. An EIR Addendum is appropriate when there are minor changes or additions to a project that do not result in significant new impacts. It is used when the changes are within the scope of the original analysis, the new information was not available during the original EIR, and major revisions to mitigation measures are not required.

In accordance with Section 15164 of the CEQA Guidelines, a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The conditions described in Section 15162 include the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Because the Phase 2 GPU will not facilitate land use development, this scope of work assumes that the Phase 2 GPU would not result in new or substantially increased significant impacts compared to those disclosed in the Phase 1 GPU Program EIR, and that, pursuant to CEQA Guidelines Section 15164, an EIR Addendum would be the appropriate level of supplemental CEQA review for the project. If additional land use changes are incorporated into Phase 2, or if a new impact or increase in magnitude of a previous impact or other significant new information is identified during the analysis, Rincon will notify the City immediately to determine the appropriate course of action. This could include preparation of a Supplemental or Subsequent EIR, which would require preparation of a new scope, schedule, and cost estimate for the more involved process.

Key tasks associated with an EIR Addendum are outlined below.

8.1 Phase 2 CEQA Kickoff Meeting

Rincon will facilitate a Phase 2 CEQA kickoff meeting with City staff. This meeting will serve as a forum to review and confirm study objectives and finalize the EIR Addendum scope and schedule. Rincon's principal in charge and project manager will attend the meeting virtually, which is anticipated to last up to 1.5 hours.

8.2 Draft EIR Addendum

Rincon will prepare a Draft EIR Addendum pursuant to the requirements set forth in Section 15164 of the CEQA guidelines. The Draft EIR Addendum will include the following content:

- **Introduction**. The EIR Addendum will include introductory information, including a brief description of the project history and an explanation of the relationship of this document to Phase 1 GPU EIR, as well as a description of the required contents and applicability of preparing an Addendum.
- **Environmental Impact Evaluation**. The EIR Addendum will evaluate whether the Phase 2 GPU would have different environmental impacts or a different degree of impact than those identified in the Phase 1 GPU EIR. The Addendum will describe policies within the Circulation and Safety Elements, as well as within the CAAP (if this optional task is selected), that would be expected to reduce physical impacts identified by land use development in the Phase 1 GPU. Issue areas anticipated to see a reduction include energy, greenhouse gas emissions, hazards and hazardous materials, transportation, and wildfire. The impact evaluation will briefly and qualitatively address all issue areas discussed in the Phase 1 EIR.

The Draft EIR Addendum will be in the format of a stand-alone report. Rincon will submit an electronic copy of the Draft IS-MND Addendum in Microsoft Word for City review and comment.

8.3 Screencheck Draft EIR Addendum

Rincon will address one round of City comments on the EIR Addendum and prepare a Screencheck Draft EIR Addendum. All comments from the City will be provided as a consolidated set of comments in editable electronic format (i.e., as tracked changes in Microsoft Word). If there are multiple reviewers, the City will be responsible for reconciling conflicting comments prior to sending to Rincon. To maintain momentum in the project schedule and provide cost efficiency, we assume City comments will focus on any new content in the previous version of the Addendum, and new comments on previously submitted content will be minimal. The Screencheck Addendum will be submitted to the City in Microsoft Word with track changes retained.

8.4 Final EIR Addendum

Once the City approves the Screencheck Addendum, Rincon will prepare the Final EIR Addendum. Pursuant to CEQA Guidelines Section 15164(c), an Addendum need not be circulated for public review. However, for increased transparency, the City may elect to circulate the document to the public pursuant to Optional Task 8.7 below.

Rincon will prepare a Notice of Determination (NOD) for City review. Rincon will address one round of comments on the NOD. Rincon will be responsible for filing the NOD with the Monterey County Clerk's office, with a copy of the City's CDFW filing receipt from the Phase 1 GPU EIR; payment of CDFW fees is not required for an Addendum.

The Final IS-MND Addendum will be provided in digital (PDF) format. The PDF will not be formatted for ADA Section 508 accessibility unless requested by the City for an additional fee.

8.5 Phase 2 Administrative Record

Rincon will maintain the Administrative Record for the Phase 2 GPU EIR Addendum, as described under Task 5.13.

8.6 Phase 2 Legal Review

This scope includes legal review of the Draft EIR Addendum and Final EIR Addendum, to be conducted prior to City review of each deliverable. A total of 10 staff hours is included in this task for legal review. Additional legal review can be provided on a time and materials basis to provide a more thorough review of specific topic areas as requested by the City.

8.7 EIR Addendum Public Review and Responses to Comments (Optional)

Although not required by CEQA, as an optional task, Rincon can circulate the Draft EIR Addendum for public review. Rincon would prepare an NOC and NOA, and circulate the document as described under Task 5.8 Public Draft EIR. If this task is selected, Rincon recommends a 45-day public review period.

Upon receipt of public comments on the EIR Addendum, Rincon would prepare draft responses to comments and an Administrative Final EIR Addendum for review by the City. This scope of work assumes up to 15 comment letters containing comments on the content of the CEQA document will be received, including two lengthy (over five pages) and/or substantive letters, all of which can be adequately responded to in a maximum of 100 professional staff hours.

Comment letters that solely express support or opposition to the Phase 1 GPU would not count against the 15-letter estimate. The actual level of effort required to respond will depend on the length, detail, and sophistication of the comments, in addition to the number of letters received. We reserve the right to reevaluate the effort level and request a scope amendment upon close of the public comment period. If the number of comment letters and the effort to prepare responses is greater than anticipated, Rincon will notify City staff immediately and discuss options to amend our scope of work and budget as necessary.

Rincon will address one round of consolidated City comments, to be provided in editable format, on the draft Responses to Comments and prepare a Screencheck Responses to Comments, in Microsoft Word with edits shown in track changes. Upon City review and approval of the Screencheck, Rincon will submit the Final EIR Addendum for hearing.

This optional task includes attendance by Rincon's environmental lead at one virtual Planning Commission hearing and one in-person City Council hearing to support staff when these bodies consider the EIR Addendum. This hearing attendance is in addition to the meetings identified in Task 9, Public Hearings.

Phase 2 Deliverables

Administrative/working drafts will be provided in Microsoft Word. Revised documents will be provided in Microsoft Word with edits shown in track changes. Adobe PDF documents will be provided for public draft

and final documents and shared via email and through the SharePoint site as part of the final administrative record. Unless authorized as an additional task, documents will not be formatted for ADA compliance.

- Draft EIR Addendum (Microsoft Word)
- Screencheck Draft EIR Addendum (Microsoft Word with track changes retained)
- Final EIR Addendum (Adobe PDF copy with user-friendly cross-reference hyperlinks)
- Draft and Final NOP (Adobe PDF)
- Notice of Determination (Adobe PDF)

Task 9 Public Hearings

9.1 Public Hearings

This task provides a budgeted allowance for the Rincon team to attend public hearings for Phase II. For purposes of this proposal, we have assumed the following participation:

- Two Planning Commission Hearings (virtual)
- Three City Council Hearings (two in-person, one virtual)

9.2 Final Documents

Based on final direction and comments provided by the City Council, the Rincon team will prepare the final documents. This task assumes minor editorial edits necessary to finalize the documents.

Assumptions

- This task assumes attendance by 2 Rincon team members at each hearing, attendance by 2 WRT team members at 1 meeting, and attendance by 2 Kimley-Horn team members at 2 meetings
- This task assumes hearings are no more than 4 hours each (plus travel time)

Deliverables

- Presentation and attendance at public hearings
- Final Architectural Objective Design and Development Standards
- Final General Plan

3 Schedule (Revised)

The proposed project workplan is generally organized in the following key phases:

Workplan Phases	**Estimated Start**	**Estimated Completion**
Phase I – Rezoning, Objective Design and Development Standards, Land Use Element, Program EIR	September 2023	December 2024
Phase II – Health and Safety Element, Transportation Element, CAAP (optional), Community Character/Architectural Objective Design and Development Standards, EIR Addendum	March/April 2024	July 2026
*Note: *the estimated start and completion dates are based on estimates made at the time this proposal was prepared and in consideration of fiscal year funding constraints. A refined schedule will be provided after the project kick off meeting and once the community engagement plan is finalized.* *** some plan preparation tasks associated with zoning are anticipated to occur earlier in the process*		

A more detailed schedule is provided in **Table 1**. Please note that the schedule, particularly for Phase I, is aggressive. Rincon has an excellent reputation for adhering to schedules and meeting milestones. Though aggressive, by streamlining certain tasks and initiating environmental review concurrent with Phase I planning efforts, we believe the portions of the timeline within Rincon's control to be achievable.

The ability to meet this schedule depends on City staff commitment to expedited review times and other factors outside of Rincon's control. If additional community engagement, rounds of review, or extended public review periods are requested, if substantive revisions are required in response to City comments, or if decision-maker guidance changes, the Draft General Plan or EIR release date may extend. In addition, if a substantial number of public comment letters are received on the Public Draft Zoning Ordinance amendments, General Plan, or Phase I Draft EIR, or if the technical and legal sophistication of comments exceed assumptions made herein, additional time to prepare responses to comments may be required.

Table 1 Estimated Project Schedule by Subtask

PHASE I

Task	Estimated Timeline	Key Deliverables
Task 1 Project Initiation and Coordination		
1.1 Kick Off Meeting and City Tour	September 2023	-Attendance at Kick Off Meeting
1.2 Document Gathering	September 2023 – October 2023	-Request additional data/documents
1.3 Scope of Work and Schedule Refinement	September 2023 – October 2023	-Detailed Schedule in consideration of Fiscal Year funding constraints
1.4 Document Set Up	October 2023 – November 2023	-Template Package
1.5 Project Coordination	Ongoing – allowance for up to 30 biweekly meetings during active project periods	-Monthly invoice/progress reporting during active months -Biweekly meeting agendas and notes
Task 2 Targeted Community Engagement		
2.1 Community Engagement Plan	September 2023 – November 2023	-Draft and Final Community Engagement Plan
2.2 Online Engagement	November 2023 (start)	-Website content -Draft and Final Micro Surveys (2)
2.3 Virtual Focus Group Meetings	January 2024 (start)	-Consultant team to participate in 3 Focus Group meetings during Phase I
2.4 Virtual Stakeholder Interviews	November 2023 (start)	-Interviews (organized per Community Engagement Plan)
2.5 Workshops	November 2023 (start)	-Three community workshops at key milestones during Phase I
2.6 Study Sessions/Public Meetings	October 2023 (start)	-Consultant team to participate in 2 virtual study sessions
Task 3 Zoning Ordinance Amendments		
3.1 Zoning Map Amendments	October 2023 – January 2024	-Screencheck, Administrative, Public Review, Public Hearing Drafts of Zoning Map
3.2 Zoning Text Amendments	October 2023 – March 2024	-Zoning Ordinance Amendments Matrix -Two Fit-test Studies -Screencheck, Administrative, Public Review, Public Hearing Drafts of Zoning Text Amendments
3.3 Existing Land Use Conditions Memo	January 2024 – February 2024	-Draft and Final Land Use Conditions Memo
3.4 Land Use Element Updates	March 2024 - May 2024	-Screencheck, Administrative, Public Review, Public Hearing Drafts of Land Use Element Update
Task 4 Environmental Compliance		
9.1 Phase 1 CEQA Kick Off Meeting	January 2024	-Meeting with City staff
9.2 EIR Notice of Preparation	Early February 2024	-NOP

9.3 EIR Project Description	February – Early March 2024	-Project Description
9.4 Scoping Meeting	March 2024	-Attendance at Scoping Meeting
9.5 AB 52 and SB 18 Consultation	March - June 2024	-Tribal Consultation
9.6 ADEIR	Early March – Early May 2024	-ADEIR
9.7 Screencheck Draft EIR	Late May 2024	-Screencheck DEIR
9.8 Public Draft EIR	June 2024	-Draft for Public Review
9.9 Response to Comments and Admin FEIR	Mid-August – End September 2024	-Response to Comments and Admin FEIR
9.10 MMRP	October 2024	-MMRP
9.11 Final EIR	October 2024	-Final EIR
9.12 CEQA Findings and Statement of Overriding Considerations	October 2024	-CEQA findings
9.13 Phase 1 Administrative Record	October 2024	-Admin Record
9.14 Phase 1 Legal Review	May - July 2024	
6.1 Public Hearings	November-December 2024	- Public Hearing attendance

Phase II

Task 1 Project Initiation and Coordination		
1.1 Project Coordination	Ongoing – allowance for up to 60 biweekly meetings during active project periods	-Monthly invoice/progress reporting during active months -Biweekly meeting agendas and notes
Task 2 Community Engagement		
2.1 Community Engagement Plan	March 2024 – May 2024	-Draft and Final Engagement Plan
2.2 Online Engagement	May 2024 (start)	-Website content -Draft and Final Micro Surveys (3) -Educational Videos (2)
2.3 Community Workshops	July 2024 (start)	-3 in-person and 5 virtual workshops at key milestones during Phase II
2.4 General Plan Technical Advisory Group	August 2024 (start)	- Consultant team to participate in 6 meetings
2.5 Virtual Stakeholder Interviews	July 2024 (start)	-Interviews (organized per Community Engagement Plan)
2.6 Study Sessions	August 2024 (start)	-Consultant team to participate in 2 virtual and 1 in-person study sessions
2.7 Walking Tour	September 2024	-Consultant team to organize and facilitate
Task 3 Existing Conditions and Issues and Opportunities		
3.1 General Plan Audit	June 2024	-General Plan Audit Matrix
3.2 Existing Conditions Background and Technical Memorandums	July 2024 - November 2024	-Draft and Final Existing Conditions Background and Technical Memorandums

Task 4 Architectural Objective Design and Development Standards		
4.1 Architectural ODDS	June 2024 – February 2025	-Provisions Catalogue, Place Type Map, and Summary Memo -Admin Draft Architectural ODDS Standards and Narrative -Public Draft Architectural ODDS Standards
Task 5 General Plan Updates		
5.1 First Administrative Draft	March 2025 – July 2025	-First Administrative Draft
5.2 Second and Public Draft	August 2025 – November 2025	-Second Administrative Draft -Public Review Draft -Public Hearing Draft
Task 6 CEQA Analysis (EIR Addendum)		
6.1 Phase 2 CEQA Kick Off Meeting	November 2025	-Meeting with City staff
6.2 Draft EIR Addendum	December 2025 - January 2026	-Draft Addendum
6.3 Screencheck Draft EIR Addendum	February 2026	-Screencheck Addendum
6.4 Final EIR Addendum	March 2026	-Final Addendum
6.5 Phase 2 Administrative Record	March 2026	-Admin Record
6.6 Phase 2 Legal Review	January - March 2026	
Task 7 Public Hearings		
7.1 Planning Commission and City Council Meetings	April-May 2026	- Public Hearing attendance
7.2 Final General Plan	June 2026	-Final General Plan documents

4 Cost Estimate (Revised)

4.1 Cost Assumptions

Rincon has provided an itemized budget below inclusive of anticipated costs associated with the project, broken down by task and person per hour. This budget includes labor categories, hourly rate, estimated hours per task and total number of hours and costs, along with subconsultant labor and direct costs. This budget has been prepared with the objective of providing an honest assessment of fees and expenses, and we have identified assumptions aimed at ensuring clear expectations.

Rincon assumed the following in developing our scope of work and cost estimate.

- All deliverables will be provided electronically in PDF and/or Word format. Comments from the City will be provided as a single, consolidated set of comments in editable electronic format (i.e., as track changes in MS Word). Following review, each deliverable will be finalized and submitted in electronic (PDF and/or Word) format. The City will be responsible for printing all hard copy documents.
- Assumptions related to outreach materials have been included in Section 1 under each relevant task. Materials and printing costs will be established through the Community Engagement Plan in accordance with the allotted budget.
- Costs have been allocated to tasks based upon Rincon's proposed approach. Rincon may re-allocate costs among tasks and/or direct costs as circumstances warrant so long as the adjustments maintain the total price within its authorized amount.
- The fees associated with this project are our best estimates based upon our experience and the information provided. Unexpected or unanticipated circumstances may arise that cause additional work to be necessary or which may affect the proposed scope and budget. Rincon recommends including a 10% contingency to cover these potential circumstances. Use of the contingency would only be used upon mutual agreement with City staff.
- Rincon included the meeting assumptions provided in **Table 2** in developing our scope of work and cost estimate.
- Other Direct Costs. Costs associated with the execution of a project, that are not included in the hourly rates above, are billed at cost plus 16%. These may include, but are not limited to, laboratory and drilling services, subcontractor services, authorized travel expenses, permit charges and filing fees, mailings and postage, performance bonds, sample handling and shipment, rental equipment, and vehicles other than covered by the above charges.
- Annual Escalation. Rincon's standard rates are subject to an annual escalation. Rincon will meet with City staff annually to adjust scope, fee and schedules to accommodate these changes. The contingency budget is anticipated to be used to support increased fees that resulting from annual fee schedule escalation.
- Payment Terms. All fees will be billed to Client monthly and shall be due and payable upon receipt or as indicated in the contract provisions for the assignment. Invoices are delinquent if not paid within ten (10) days from receipt or per the contractually required payment terms.

4.2 Focused General Plan Update Cost Summary

The estimated budget for the Focused General Plan Update would be:

Phase I	$990,810
Phase II	$1,094,911
Phase I + Phase II	$2,085,721
Phase I + Phase II + Contingency	$2,294,293
Phase I + Phase II + Optional Tasks	$2,419,749
Phase I + Phase II + Contingency + Optional Tasks	$2,628,321

A more detailed cost breakdown by task is provided in **Table 3.** We are prepared to initiate work immediately upon execution of a contract and receipt of a notice to proceed.

4.3 Optional Tasks

The proposal includes the following optional tasks:

Optional Tasks	Budget Estimate
Phase I	
2.7 As Needed Engagement	$30,800
Phase II	
2.8 As Needed Engagement	$30,800
3.2.6 Transportation and Parking Analysis	$24,908
6 Economic Analysis	$88,392
7 Climate Action and Adaptation Plan	$132,554
8.7 EIR Addendum Public Review and Responses to Comments	$26,574
Total Optional	**$334,028**

Table 2 Meeting Cost Assumptions

		Rincon	WRT	Kimley-Horn
PHASE I				
Kickoff Meeting and City Tour	Attendees	4 attendees in-person, 3 attendees virtual	2 attendees in-person	2 attendees, in-person
	Estimated Duration	2 hour Kick Off + 4 hour City Tour	2 hour Kick Off + 4 hour City Tour	2 hour Kick Off
	Travel	13 hours, 200 miles round trip, 2 flight round-trip (combined)	4 hours, 230 miles round-trip	1 hour round-trip
Biweekly Check-in Calls	Attendees	Avg 1.5 attendees	As needed	As needed
	Estimated Duration	30 mins, 30 total mtgs	30 mins	
Virtual Focus Group Meetings	Attendees	2 attendees	2 attendees	
	Estimated Duration	2 hours, 3 total mtgs	2 hours, 1 meeting	
	Attendees	2 attendees	2 attendee2	
Virtual Stakeholder Interviews	Estimated Duration	1 hour, 10 meetings	1 hour, 3 meetings	
	Attendees	2 attendees	2 attendees	
Workshops	Estimated Duration	2 hours setup + tear-down, 2 hours hosting	2 hours setup + tear-down, 2 hours hosting	
	Travel	13 hours, 200 miles round-trip, 1 flight round trip	4 hours, 230 miles round-trip	
Study Sessions/Public Meetings	Attendees	2 attendees	1 attendee	
	Estimated Duration	4 hours, 2 meetings	4 hours, 1 meeting	
	Attendees	2 attendees		
Virtual CEQA Kickoff Meeting	Estimated Duration	1.5 hours		
	Attendees	2 attendees		
Scoping Meeting	Estimated Duration	1 hour		
	Travel	30 minutes, 10 miles round-trip 6 hours, 380 miles round-trip		
Public Hearings	Attendees	2 attendees	2 attendees	2 attendees
	Estimated Duration	12 hours, 3 virtual and 1 in-person meetings	4 hours, 1 meeting	4 hours, 2 meetings
	Travel	4 hours, 200 miles round trip	4 hours, 230 miles round-trip	30 minutes round trip

		Rincon	WRT	Kimley-Horn
PHASE II				
Kickoff Meeting	Attendees	4 attendees	2 attendees	1 attendee
	Estimated Duration	2 hours	2 hours	2 hours
Biweekly Check-in Calls	Attendees	Avg 1.5 attendees	As needed	As needed
	Estimated Duration	30 mins, 60 total mtgs	30 mins	30 mins
Workshops	Attendees	2 attendees	2 attendees	2 attendees
	Estimated Duration	2 hours setup + tear-down, 2 hours hosting	2 hours setup + tear-down, 2 hours hosting	2 hours setup + tear-down, 2 hours hosting
	Travel	13 hours, 200 miles round-trip, 1 flight round trip	4 hours, 230 miles round-trip	1 hour round-trip
GPTAG	Attendees	2 attendees	1 attendee	
	Estimated Duration	2 hours, 6 mtgs	2 hours, 3 meetings	
Virtual Stakeholder Interviews	Attendees	2 attendees		1 attendee
	Estimated Duration	1 hour, 10 meetings		1 hour, 1 meeting
Study Sessions/Public Meetings	Attendees	2 attendees	1 attendee	
	Estimated Duration	4 hours, 2 virtual and 1 in-person meetings	4 hours, 1 in-person meeting	
		13 hours, 200 miles round-trip, 1 flight round trip	4 hours, 230 miles round-trip	
Walking Tour	Attendees	1 attendee	2 attendees	
	Estimated Duration	4 hours	2 hours	
	Travel	4 hours, 200 miles round-trip	4 hours, 230 miles round-trip	
Virtual CEQA Kickoff Meeting	Attendees	2 attendees		
	Estimated Duration	1.5 hours		
Public Hearings	Attendees	2 attendees	1 attendee	2 attendees
	Estimated Duration	12 hours, 3 virtual and 1 in-person meetings	8 hours, 2 virtual meetings	4 hours, 2 meetings
	Travel	4 hours, 200 miles round trip		30 minutes round trip

Table 3 Focused General Plan Update Cost Proposal

RINCON CONSULTANTS, INC.

22-13730 City of Pacific Grove General Plan, Zoning Code and CEQA

Cost Estimate

	Hours	Labor Budget	Direct Expenses	Total Budget
Phase I Focused GPU				
Task 1: Project Initiation and Coordination	**461.00**	**109,871.00**	**44,393.20**	**154,264.20**
1.1 Kickoff Meeting and City Tour	106.00	26,818.00	9,222.00	36,040.00
1.2 Document Review and Gathering	28.00	5,352.00	14,244.80	19,596.80
1.3 Scope of Work and Schedule Refinement	7.00	1,875.00	3,097.20	4,972.20
1.4 Document Set Up	20.00	4,316.00	0.00	4,316.00
1.5 Project Coordination	300.00	71,510.00	17,829.20	89,339.20
Task 2: Targeted Community Engagement	**590.00**	**123,420.00**	**23,377.40**	**146,797.40**
2.1 Community Engagement Plan	66.00	13,560.00	464.00	14,024.00
2.2 Online Engagement	102.00	18,542.00	0.00	18,542.00
2.3 Virtual Focus Group Meetings (3)	82.00	17,784.00	2,436.00	20,220.00
2.4 Virtual Stakeholder Interviews (10)	46.00	9,548.00	3,190.00	12,738.00
2.5 Workshops (1 virtual, 2 in person)	222.00	47,942.00	13,517.40	61,459.40
2.6 Study Sessions/Public Meetings (2 virtual)	72.00	16,044.00	3,770.00	19,814.00
Task 3: Zoning Ordinance Amendments	**353.00**	**76,869.00**	**86,513.96**	**163,382.96**
3.1 Zoning Map Updates	30.00	6,130.00	4,245.60	10,375.60
3.2 Zoning Text Amendments	323.00	70,739.00	82,268.36	153,007.36
Task 4: Land Use Consistency Updates	**295.00**	**60,965.00**	**0.00**	**58,065.00**
4.1 Existing Land Use Conditions and Future Development Memorandum	137.00	28,253.00	0.00	28,253.00
4.2 Land Use Element Updates	138.00	29,812.00	0.00	29,812.00
GIS/CADD Specialist I	20.00	2,900.00		
Task 5: Environmental Compliance (Program EIR)	**1,439.00**	**304,849.00**	**84,613.65**	**389,462.65**
5.1 Phase 1 CEQA Kickoff Meeting	11.00	2,731.00	0.00	2,731.00
5.2 EIR Notice of Preparation	12.00	2,522.00	0.00	2,522.00
5.3 EIR Project Description	25.00	4,821.00	0.00	4,821.00
5.4 Scoping Meeting	25.00	6,159.00	825.45	6,984.45
5.5 AB 52 and SB 18 Consultation Assistance	18.00	4,134.00	0.00	4,134.00
5.6 Administrative Draft EIR	923.00	193,065.00	73,126.40	266,191.40
5.7 Screencheck Draft EIR	66.00	13,682.00	0.00	13,682.00
5.8 Public Draft EIR	53.00	9,881.00	674.00	10,555.00
5.9 Response to Comments and Administrative Final EIR	150.00	33,400.00	9,871.60	43,271.60
5.10 Mitigation Monitoring and Reporting Program	19.00	3,954.00	0.00	3,954.00
5.11 Final EIR	40.00	8,343.00	116.20	8,459.20
5.12 CEQA Findings, Statement of Overriding Considerations, and Resolution	47.00	9,806.00	0.00	9,806.00
5.13 Phase 1 Administrative Record	30.00	6,711.00	0.00	6,711.00
5.14 Phase 1 Legal Review	20.00	5,640.00	0.00	5,640.00
Task 6: Public Hearings and Final Documents	**230.00**	**58,180.00**	**20,657.75**	**78,837.75**
6.1 Public Hearings	188.00	49,188.00	20,657.75	69,845.75
6.2 Final Documents	42.00	8,992.00	0.00	8,992.00

Phase I Total	**3,368.00**	**734,154.00**	**259,555.96**	**990,809.96**
Phase I Contingency (10%)				**99,081.00**
Phase II Focused GPU				
Task 1: Project Initiation and Coordination	**427.00**	**100,503.00**	**43,395.60**	**143,898.60**
1.1 Kickoff Meeting	10.00	2,518.00	4,466.00	6,984.00
1.2 Document Gathering	8.00	1,842.00	9,222.00	11,064.00
1.3 Scope of Work and Schedule Refinement	7.00	1,875.00	2,169.20	4,044.20
1.4 Document Set Up	12.00	2,348.00	0.00	2,348.00
1.5 Project Coordination	390.00	91,920.00	27,538.40	119,458.40
Task 2: Community Engagement	**1,051.00**	**219,761.00**	**90,443.80**	**310,204.80**
2.1 Community Engagement Plan	66.00	13,560.00	0.00	13,560.00
2.2 Online Engagement	213.00	40,139.00	0.00	40,139.00
2.3 Workshops (3 in-person, 5 virtual)	470.00	100,894.00	51,966.60	152,860.60
2.4 GPTAC (6 virtual)	164.00	35,568.00	16,332.80	51,900.80
2.5 Virtual Stakeholder (10)	46.00	9,548.00	3,596.00	13,144.00
2.6 Study Sessions/Public Meetings (2 virtual)	72.00	16,044.00	8,932.00	24,976.00
2.7 Walking Tour	20.00	4,008.00	9,616.40	13,624.40
		76,182.00	93,496.60	169,678.60
Task 3: Existing Conditions and Issues and Opportunities	**370.00**	**76,182.00**	**93,496.60**	**169,678.60**
3.1 General Plan Audit	48.00	9,630.00	0.00	9,630.00
3.2. Existing Conditions Background and Technical Memorandums	322.00	66,552.00	93,496.60	160,048.60
Task 4: Architectural/Comm Character Objective Design and Development Standards	**24.00**	**6,516.00**	**131,033.60**	**137,549.60**
4.1 Catalogue Existing Objectives vs. Subjective Provisions	2.00	543.00	11,808.80	12,351.80
4.2 Place Types and Building Types	4.00	1,086.00	25,311.20	26,397.20
4.3 Recent Precedents	2.00	543.00	9,256.80	9,799.80
4.4 Organization of Standards	2.00	543.00	8,189.60	8,732.60
4.5 Initial Drafts	4.00	1,086.00	43,616.00	44,702.00
4.6 Administrative Draft	4.00	1,086.00	21,413.60	22,499.60
4.7 City Clarifications and Final Direction	4.00	1,086.00	3,944.00	5,030.00
4.8 Public Review Draft	2.00	543.00	7,493.60	8,036.60
Task 5: General Plan Update	**689.00**	**145,273.00**	**57,582.40**	**202,855.40**
5.1 First Administrative Draft General Plan	472.00	96,702.00	47,652.80	144,354.80
5.2 Second Administrative Draft and Public Draft General Plans	217.00	48,571.00	9,929.60	58,500.60
Task 8: Environmental Compliance (EIR Addendum)	**173.00**	**35,739.00**	**15,892.00**	**51,631.00**
8.1 Phase 2 CEQA Kickoff Meeting	8.00	1,974.00	0.00	1,974.00
8.2 Draft EIR Addendum	102.00	20,272.00	15,892.00	36,164.00
8.3 Screencheck Draft EIR Addendum	26.00	5,246.00	0.00	5,246.00
8.4 Final EIR Addendum	16.00	2,986.00	0.00	2,986.00
8.5 Phase 2 Administrative Record	11.00	2,441.00	0.00	2,441.00
8.6 Phase 2 Legal Review	10.00	2,820.00	0.00	2,820.00
Task 9: Public Hearings and Final Documents	**230.00**	**58,180.00**	**20,913.00**	**79,093.00**
9.1 Public Hearings	188.00	49,188.00	20,913.00	70,101.00
9.2 Final Documents	42.00	8,992.00	0.00	8,992.00
Phase II Total	**2,964.00**	**642,154.00**	**452,757.00**	**1,094,911.00**
Phase II Contingency (10%)				**109,491.10**

Direct Expenses Summary	**Amount**

Digital Production - Flash Drive	40.00
Per Diem - job chargeable	8,062.00
Per Diem- Lodging	300.00
Photocopies - Black and White	250.00
Photocopies - Color	62.00
Postage, Shipping, Delivery	232.00
Travel - Mileage	1,100.40
Travel (airfare, ground trans, lodging)	1,714.00
Vehicle Day Rate	630.00
WRT	381,977.56
Kimley-Horn	317,698.00
Direct Expenses Subtotal	712,065.96

Optional Task Summary	**Amount**
Phase 1 Task 2.7 As Need Engagement	30,800.00
Phase 2 Task 2.8 As Needed Engagement	30,800.00
Phase 2 Task 3.2.6 Transportation and Parking Analysis	24,908.00
Phase 2 Task 6 Economic Analysis	88,392.00
Phase 2 Task 7 Climate Action and Adaptation Plan	132,554.00
Phase 2 Task 8.7 Addendum Public Review and RTCs	26,574.00
Optional Task Subtotal	334,028.00

Phase I + Phase II	**2,085,720.96**
Phase I + Phase II + Contingency	**2,294,293.06**
Phase I + Phase II + Optional Tasks	**2,419,748.96**
Phase I + Phase II + Contingency + Optional Tasks	**2,628,321.06**

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CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Susan Myers, Beautification and Natural Resources Commission
MEETING DATE:	August 02, 2023
SUBJECT:	Concept review of proposed updates to Pacific Grove Municipal Code Chapter 11.98 Reduction of Single-Use Plastics.
CEQA:	Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive presentation and provide direction to incorporate the proposed modifications to Pacific Grove Municipal Code Chapter 11.98 Reduction of Single-Use Plastics.

DISCUSSION

Council adopted Chapters 11.98 of the municipal code entitled "Reduction of Single-Use Plastics" (the "Ordinance") on November 7, 2019. The Ordinance was to become enforceable in April, 2020. Unfortunately, COVID-19 public health measures such as stay at home orders and guidance to avoid potentially contaminated surfaces along with supply chain constraints caused enforcement efforts to be postponed and relaxed.

On October 2nd 2022, the Beautification and Natural Resources Commission ("BNRC") presented to Council proposed modifications to the Ordinance recommended by BNRC based upon current conditions, trends and recent changes to state law. Council asked the BNRC to engage with local businesses to discuss the Ordinance (and proposed modifications) and then to return to Council for further consideration. On February 6th 2023, the BNRC, Chamber of Commerce, Sustainable Pacific Grove and City Staff hosted a workshop for local businesses to discuss the current Ordinance and proposed modifications.

BNRC hereby proposes the following modifications to the current Ordinance:

11.98.020 Definitions

1. "Compostable" or "Certified Compostable" should be defined as including only materials that meet the standard designated or accepted by the local waste hauler and ReGen Monterey, as modified from time to time.
2. "Reusable bags" should be defined as including any plastic bag that is at least 2.25 mils thick that can be cleaned or disinfected a minimum of 125 times.

11.98.030 Ban on single-use plastics and plastic bags and charge for paper carryout bags

1. Change the minimum recycled content requirement for carryout paper bags from 100% to 75%

recycled material.
2. Offer only paper bags at checkout. (Cost will remain $0.10.)
3.All reusable plastic bags, such as the type currently offered at checkout by local grocery stores as an alternative to paper bags, are to be sold separately and priced at not less than $1.00.
4. In addition to allowing Compostable bags for carryout of wet items, produce, pharmacy, cards, etc., also allow compliant paper bags.
5. Prohibit balloons, confetti and glitter from being used at public parks or on public lands, whether for permitted events or allowed unpermitted use. The prohibitions should be made highly visible on permit applications and the City website.

11.98.035 Ban on single-use disposable food service ware
1. Require that all disposable food service ware is limited to those products that are either (i) "certified compostable" or (ii) recyclable non-plastic products, such as aluminum and glass. Non-plastic single-use products shall be allowed only if they are accepted for composting or recycling by the local waste hauler and ReGen Monterey.
2. Food service providers WILL charge a $0.25 fee per for each to go cup to cover the difference in cost from SUDs. (Current language in ordinance makes this charge optional.)

BNRC recommends that the Ordinance should be reviewed by the City Attorney for general updating in recognition of new State Laws that have been enacted since the adoption of the Ordinance.

OPTIONS

Do nothing and keep the code as is.

FINANCIAL IMPACT:

There is no fiscal impact by receiving the report. Implementation of proposed changes would impact businesses and customers.

FOCUSED PRIORITY AREA: Environmental Stewardship

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Sandra Kandell, City Clerk/DEI Coordinator

MEETING DATE: August 02, 2023

SUBJECT: Pay A Visit to the Monterey Pine Forest, by Nicole "Nikki" Nedeff, Consulting Ecologist

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive presentation.

Attachments

PPT



Pay a Visit to the Monterey Pine Forest

Nicole Nedeff, Consulting Ecologist
August 2, 2023



Poppy Hills Golf Course


…think about pine forests in a different way

BIODIVERSITY RESULTS FROM:

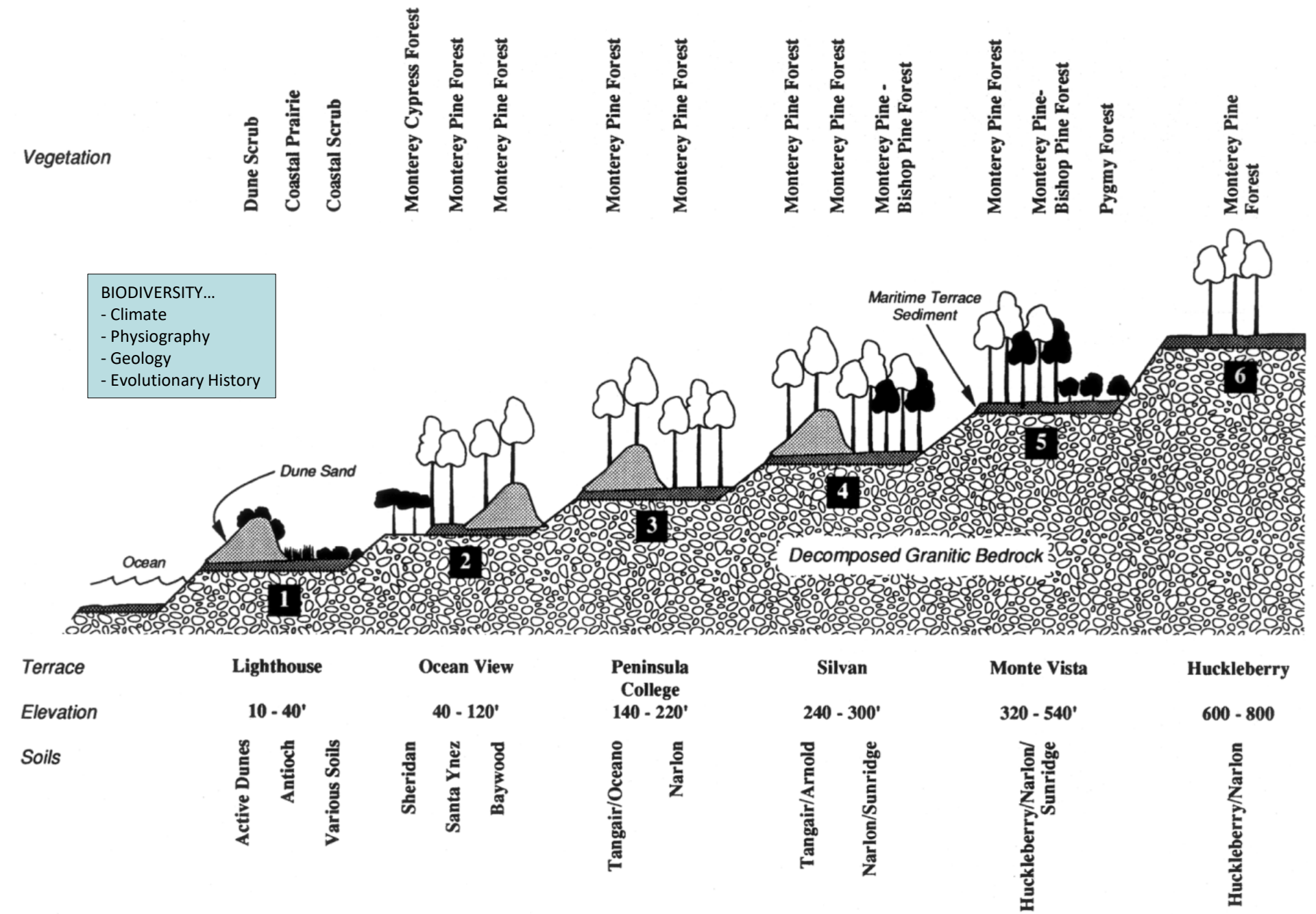
Climate - seasonal patterns of precipitation and temperature, often reflecting latitudinal variability, elevation or proximity to the coast

Physiography – physical features and patterns, variation of the landscape, topography, elevation

Geology - structure and minerology of rocks, variable soil (edaphic) conditions like chemistry, texture, porosity, nutrients

Evolutionary History – slow or quick change over time, or relatively no change - "refugia" where species persist, plasticity, adaptation to changing conditions

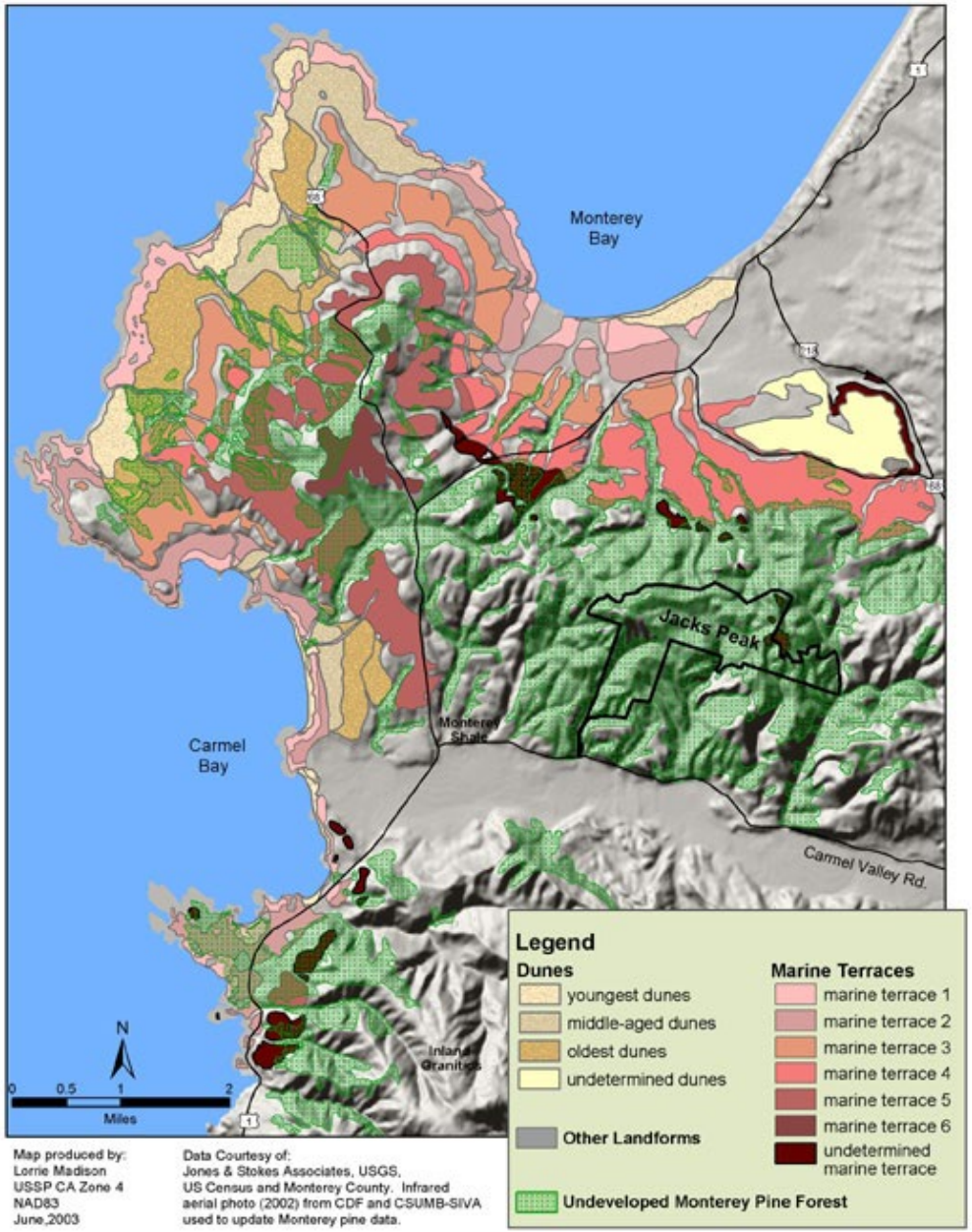
Weirdness – unexplainable things, mutations



Jones & Stokes

The Monterey Ecological Staircase

Dunes and Marine Terraces of the Monterey Area



Map produced by:
Lorrie Madison
USSP CA Zone 4
NAD83
June,2003

Data Courtesy of:
Jones & Stokes Associates, USGS,
US Census and Monterey County. Infrared aerial photo (2002) from CDF and CSUMB-SIVA used to update Monterey pine data.



Pinus radiata





Richard & Ann Pettit



“CLOSED CONES” = SEROTINOUS CONES



Serotiny is an ecological adaptation exhibited by some seed plants. Seed release occurs in response to an environmental trigger, rather than spontaneously at seed maturation. The most common and best studied trigger is fire.


Virdette Brumm & Robertson Parkman

MONTEREY PINE FORESTS = "ARBOREAL ISLAND" ECOSYSTEMS

- Unique, disjunct plant communities… small, isolated populations (patches) of trees.
- Located in three "arboreal islands" along the Central California's coast and on 2 Baja islands.
- Influenced by soil (edaphic) conditions.
- Many associated endemic species.
- **SEROTINOUS** cones with adaptations to fire.
- Relict species, or soil ecotypes (or both)??
- The fossil record tells us Monterey pines were once far-ranging in California.

Locations of Indigenous Populations of Monterey Pine



Acreage in 2018

	HISTORIC EXTENT	CURRENT EXTENT	PROTECTED MONTEREY PINE FOREST	UNPROTECTED AND LARGELY UNDEVELOPED MONTEREY PINE FOREST
Monterey Peninsula	16,480	8,460	4,200	4,260
Año Nuevo, Waddell Valley, Swanton	1,264	1,264	490	774
Cambria	3,410	2,520	1,730	790
Cedros Island		320		
TOTALS	**21,154**	**12,564**	**6,420**	**5,824**


Monterey pine plantation in New Zealand
New Zealand Forestry

Each population is genetically distinct

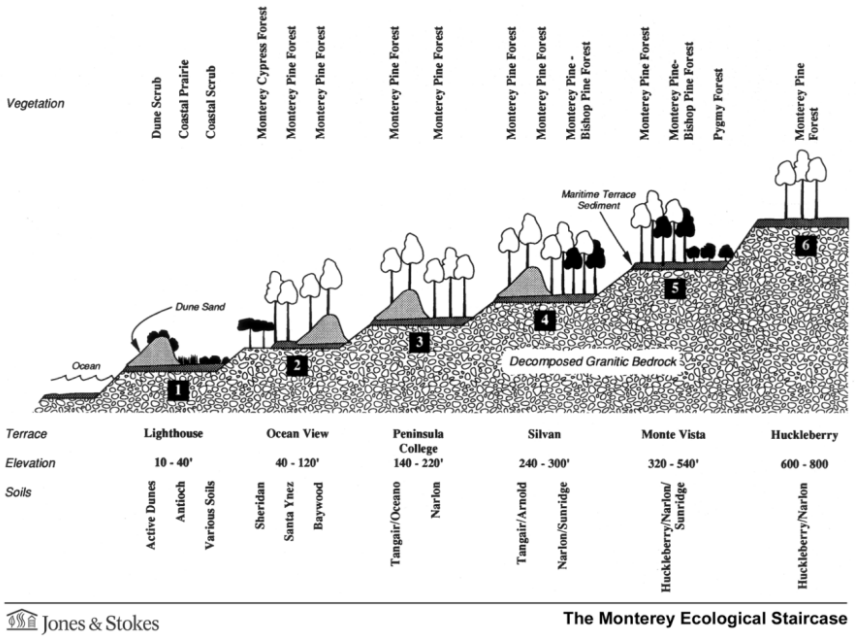



FOG… maritime influence in Mediterranean climate = supplemental moisture during dry summer months

Robin Way



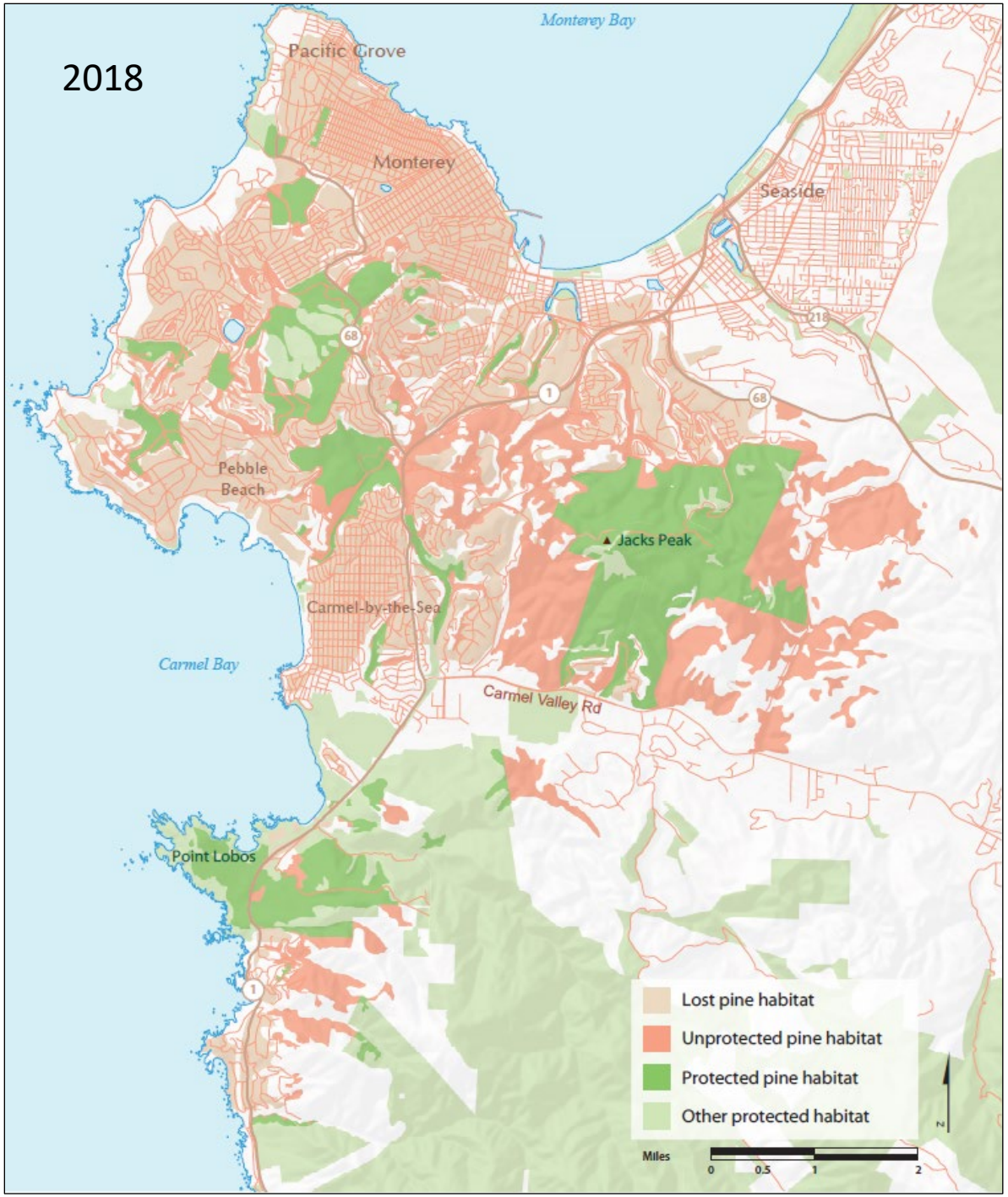
- Acidic, nutrient-poor soils
- Shallow soil layer with hardpan within a few feet
- Perched watertables



Jones & Stokes

The Monterey Ecological Staircase




2018
Monterey Bay
Pacific Grove
Monterey
Seaside
68
1
218
Pebble Beach
Jacks Peak
Carmel-by-the-Sea
Carmel Bay
Carmel Valley Rd
Point Lobos
Lost pine habitat
Unprotected pine habitat
Protected pine habitat
Other protected habitat
N
Miles
0
0.5
1
2


pine rose


Hickman's cinquefoil


Hickman's onion

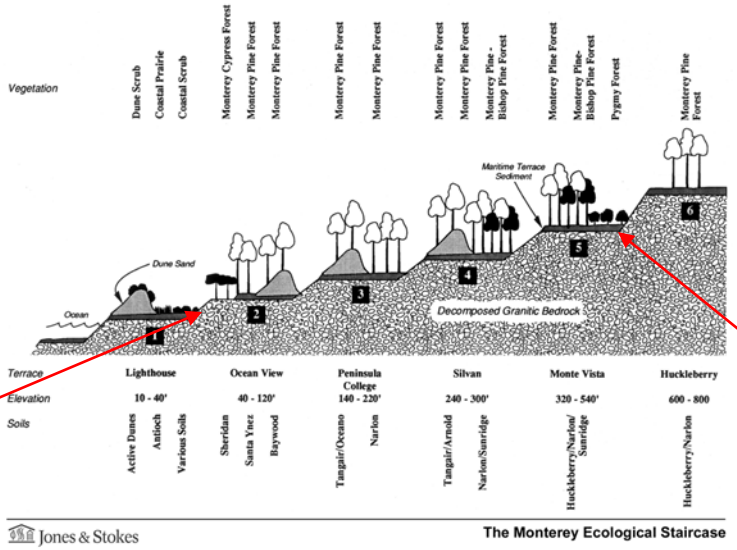

Yadon's rein-orchid





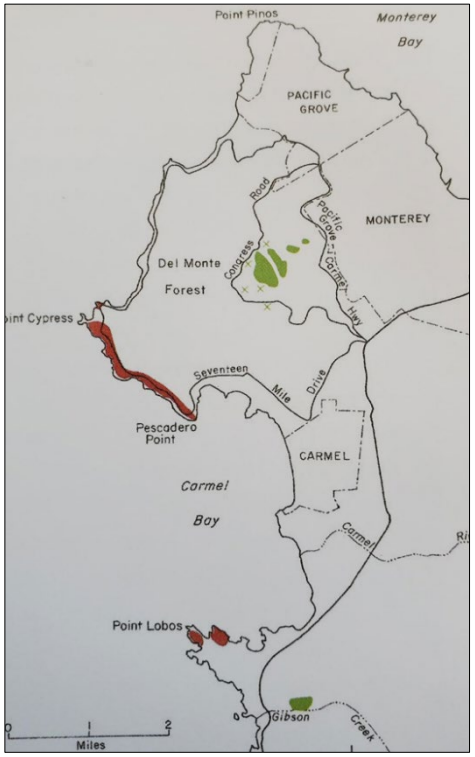

sandmat manzanita


Hooker's manzanita





Monterey cypress



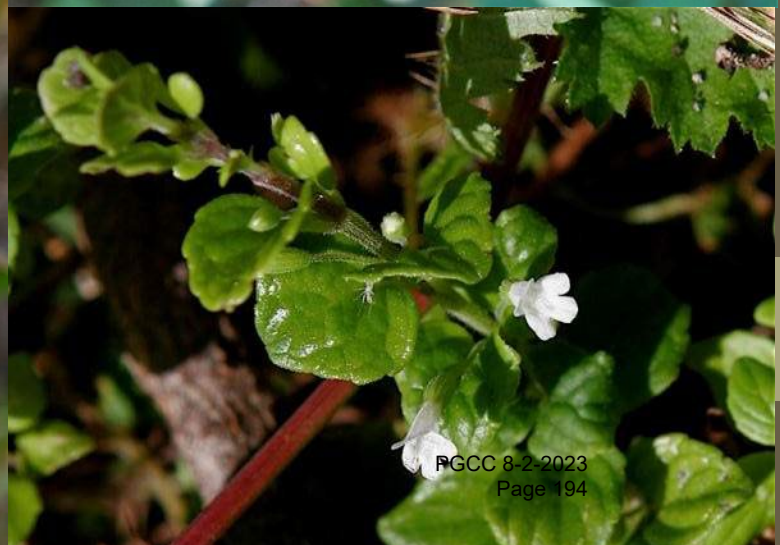


Gowen cypress













Tom Moss




Pygmy Nuthatch


Ringneck Snake


Purple Finch


Monterey Dusky-footed Woodrat

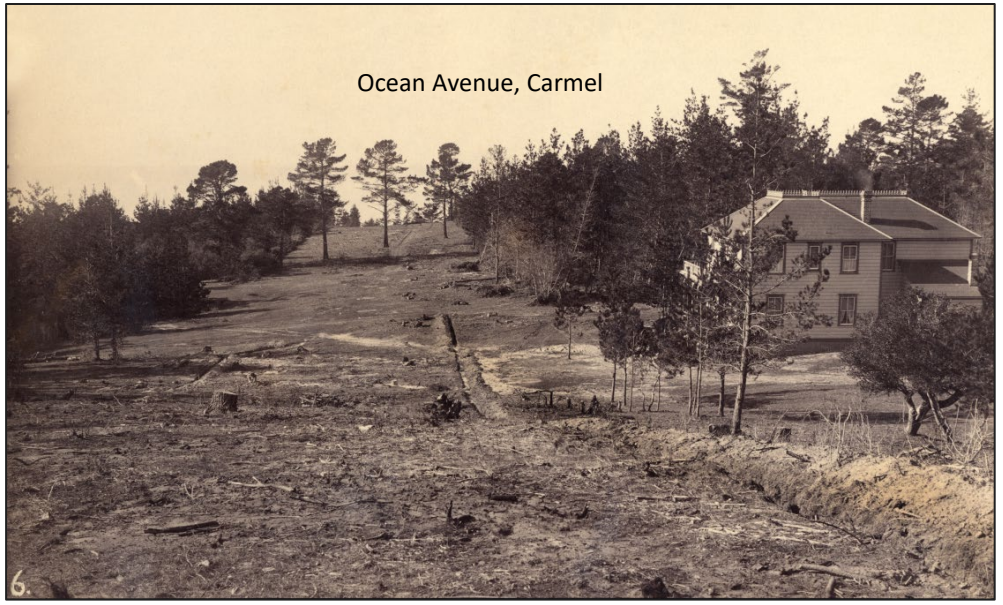

Red-shouldered Hawk


Great Horned Owl


Steller's Jay


Scrub Jay



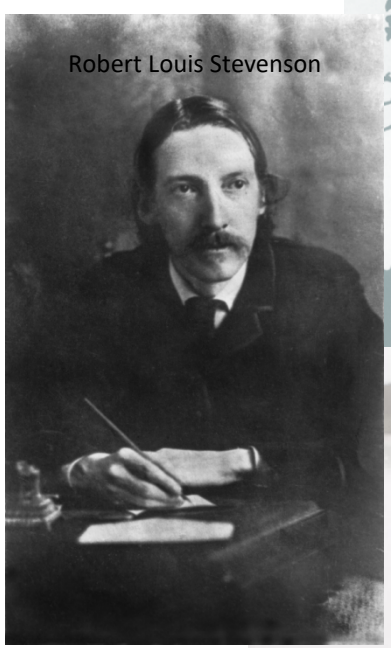


Resource, as well as inspiration

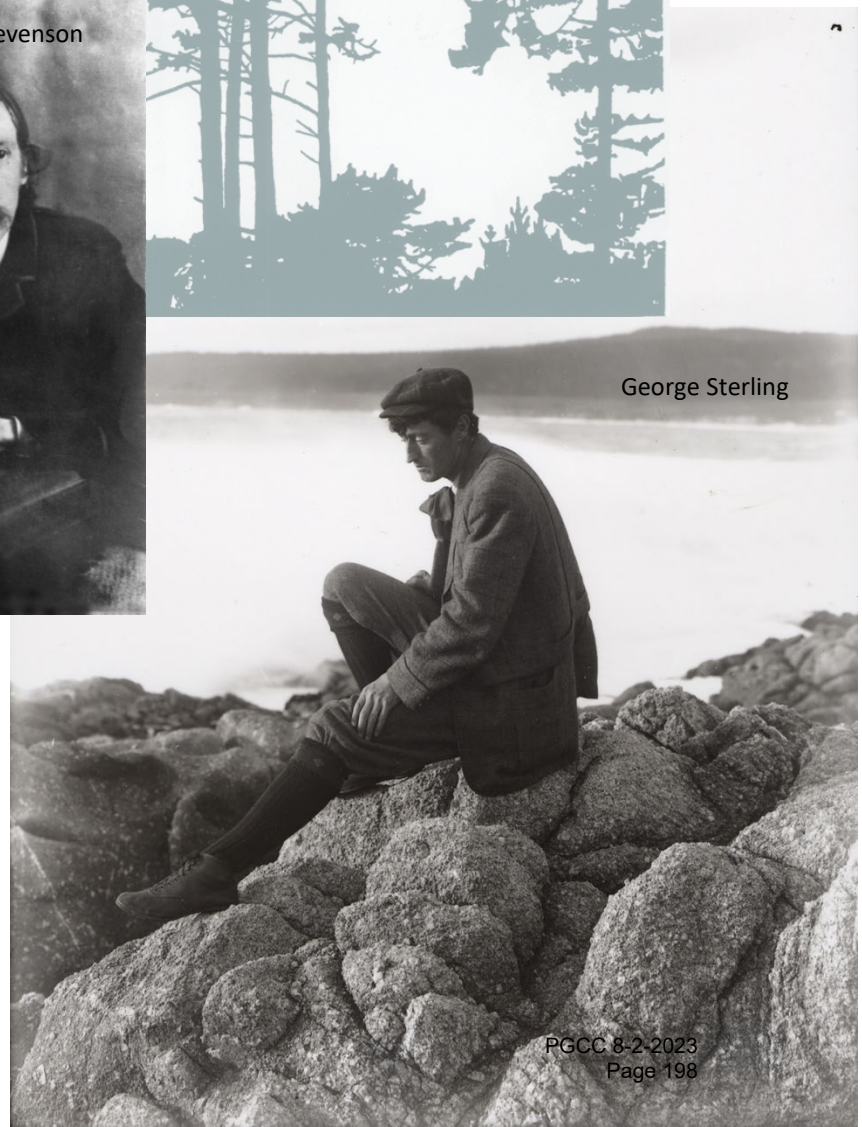


Mari Kloeppel - Courtesy of Julia Foster-Bates




Robert Louis Stevenson




George Sterling

Then are these pioneers great; they stand
Self-authorizing, unshifting,
From the lone verge of sea and land
Their sunlit spires uplifting.
They live so hard, they fare so ill,
Their prosperous noontide finds them still
Austere and unsubduable.

Robinson Jeffers, *A Westward Beach*


Diseases


Invasives


Fragmentation


Urbanization
KEEP
RIGHT







