NOTICE OF MEETING
CITY OF PACIFIC GROVE
PLANNING COMMISSION
REGULAR MEETING AGENDA
Thursday, December 19, 2019, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

AGENDA

CALL TO ORDER
1. APPROVAL OF AGENDA

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

3. COUNCIL LIAISON ANNOUNCEMENTS

4. GENERAL PUBLIC COMMENT
General Public Comment must deal with matters subject to the jurisdiction of the City and the Planning Commission that are not on the Regular Agenda. This is the appropriate place to comment as to items on the Consent Agenda, only if you do not wish to have the item pulled for individual consideration by the Planning Commission. Comments from the public will be limited to three minutes and will not receive Planning Commission action. Comments regarding items on the Regular Agenda shall be heard prior to Planning Commission’s consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Planning Commission in advance of the meeting, to provide adequate time for its consideration.

CONSENT AGENDA
The Consent Agenda deals with routine and non-controversial matters, and may include action on resolutions, ordinances, or other public hearings for which testimony is not anticipated. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of the Planning Commission, staff, or the public may remove an item from the Consent Agenda for individual consideration. When items are pulled for discussion, they will be automatically placed at the end of their respective section within the Regular Agenda. One motion shall be made to adopt all non-removed items on the Consent Agenda. Items pulled from this section will be placed under 6. Regular Agenda

5. A. Approval of Minutes of the December 5, 2019, PC Regular Meeting
Recommendation: Approve minutes.
Reference: Alex Othon, Assistant Planner
CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines
Section 15378

REGULAR AGENDA

6. PUBLIC HEARINGS
For public hearings involving a quasi-judicial determination by the Planning Commission, the proponent of an item may be given 10 minutes to speak and others in support of the proponent’s position may be given three minutes each. A designated spokesperson for opposition to the item may be given 10 minutes to speak and all others in opposition may be given three minutes each. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Planning Commission. In public hearings not involving a quasi-judicial determination by the Planning Commission, all persons may be given three minutes to speak on the matter. Public hearings on non-controversial matters or for which testimony is not anticipated may be placed on the Consent Agenda, but shall be removed if any person requests a staff presentation or wishes to be heard on the matter.

A. Prezone of 801 Sunset Drive to Light Commercial (C-1)
Recommendation: Make a recommendation of approval of the proposed zoning map amendment to the City Council.
Reference: Alyson Hunter, Senior Planner
CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines
Section 15378

B. Map Amendment to Rezone the Asilomar State Park & Conference Grounds to Open Space (“O”)

Recommendation: Make a recommendation of approval of the proposed zoning map amendment to the City Council.
Reference: Alyson Hunter, Senior Planner
CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines

Item 6.B will be continued to a date uncertain.

7. DISCUSSION ITEM(S)

A. Amendments to 23.80 - Accessory Dwelling Units

Recommendation: Discuss and provide recommendation to City Council.
Reference: Anastazia Aziz, AICP, Community Development Director
CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines

Item 7.A was continued from the December 5th, 2019 meeting.
Item 7.A will be continued to the January 9, 2020, meeting.

B. Conceptual Review – Reducing Minimum Lot Sizes (please refer to 12/05/19 packet for background information)

Recommendation: Receive as information, discuss and provide staff direction.
Reference: Anastazia Aziz, AICP, Community Development Director
CEQA Status: Does not constitute a “Project” as defined by CEQA Guidelines

Item 7.B was continued from the December 5th, 2019 meeting.


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.
Item No. 5A
12-5-19 Planning Commission Minutes
CALL TO ORDER

- Commissioners Present (6): Robin Aeschliman, Bill Bluhm, Mark Chakwin (Secretary), William Fredrickson, Steven Lilley (Vice-Chair), Donald Murphy (Chair)

- Commissioners Absent (1): Jeanne Byrne

1. APPROVAL OF AGENDA

On a motion by Vice Chair Lilley, seconded by Commissioner Aeschliman, the Commission voted 6-0-1 (Commissioner Byrne absent) to approve the Agenda. Motion Passed.

2. COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)  
(Please refer to the Video Recording for details)

- Chair Murphy noted that the City Manager has reduced the number of Planning Commission meetings to one meeting per month, effective January 2020, and asked that any Commissioner correspondence on the matter to the City Council specify that it reflects that individuals opinion, not that of the body. He also noted that the City held a public scoping meeting for EIR for the upcoming ATC project and comment period is open until December 13th.

- Director Aziz stated that the City is drafting its new ADU ordinance, but also is waiting on the final State legislation on the issue to complete an accurate policy.

3. COUNCIL LIAISON ANNOUNCEMENTS  
(Please refer to the Video Recording for details)

- City Council Mayor Pro-Tem, Dr. Robert Huitt, provided an update from the latest City Council meeting, and highlighted the issues that the Council is working on now and in the near future.

4. GENERAL PUBLIC COMMENT

The Chair opened the meeting to public comment  
(Please refer to the Video Recording for details)

- Gary Mello, President of the Monarch Pines Homeowner’s Association, commented on perceived errors on the City’s adopted zoning map.

- Lisa Ciani suggested that reducing the number of Planning Commission meetings may not be advisable given upcoming LCP review.

The Chair closed the meeting to public comment
- The Chair requested that Staff respond to the public comments as an exception to normal practice and Assistant City Attorney Quinn and Community Development Director Aziz provided very brief updates on the Monarch Pines matter.

**CONSENT AGENDA**

(Note the consent agenda item 5.a. was pulled at public request (Mr. Gary Mello); and was relisted as item 6.A in Regular Agenda Items)

5. A. Approval of Minutes of the November 21, 2019, PC Regular Meeting

   **Recommended Action:** Approve minutes.

   **Reference:** Alex Othon, Assistant Planner

   **CEQA Status:** Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

**REGULAR AGENDA**

6. A. Approval of Minutes of the November 21, 2019, PC Regular Meeting

   **Recommended Action:** Approve minutes.

   **Reference:** Alex Othon, Assistant Planner

   **CEQA Status:** Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

   The Chair opened the item to public comment.

   *(Please refer to the Video Recording for details)*

   - Gary Mello recommended not approving the prior minutes because they include a map depicting the “O” Zone through the Monarch Pines Homeowners Association. He concluded that Commission should either leave out the map or change the map.

   The Chair closed the meeting to public comment

   The Commission discussed the issue.

   *(Please refer to the Video Recording for details)*

   On a motion by Vice Chair Lilley, seconded by Commissioner Chakwin, the Commission voted 6-0-1 (Commissioner Byrne absent) to approve the minutes from the Planning Commission’s November 21th, 2019 meeting with corrections. Motion Passed.

7. DISCUSSION ITEMS

   A. Conceptual Review - Accessory Dwelling Units (ADU) Ordinance Amendments

      **Recommendation:** Discuss and provide direction to staff to return with Amendments to Chapter 23.80.

      **Reference:** Anastazia Aziz, AICP, Community Development Director

      **CEQA Status:** Does not constitute a “Project” as defined by CEQA Guidelines Section 15378

      On a motion by Commissioner Aeschliman, seconded by Commissioner Chakwin, the Commission voted 6-0-1 (Commissioner Byrne absent) to continue the item until the next meeting. Motion Passed.

   B. Conceptual Review – Reducing Minimum Lot Sizes

      **Recommendation:** Receive as information, discuss and provide staff direction.

      **Reference:** Anastazia Aziz, AICP, Community Development Director

      **CEQA Status:** Does not constitute a “Project” as defined by CEQA Guidelines Section 15378
Director Aziz provided a briefing and answered questions.

The Chair opened the item to public comment.

Gary Mello requested that the staff not to include a city map in this discussion until the “O” zone issue is resolved.

The Chair closed the floor to public comment.

The Commission discussed the issue and the Chair recommended that the issue be continued to the next meeting to permit Commissioner Byrne to be able to participate in discussion on this issue.

On a motion by Chair Murphy, seconded by Commissioner Bluhm, the Commission voted 6-0-1 (Commissioner Byrne absent) to continue the item until the next meeting. Motion Passed.

**ADJOURNMENT**

The Chair adjourned the meeting at 7:07 p.m.

The next meeting is scheduled for December 19th, 2019

_________________________  _________________________
Mark Brice Chakwin, Secretary  Date
Item No. 6A
Zoning Map Amendment to Prezone the Mission Linen Property at 801 Sunset Dr to Light Commercial (C-1)
TO: Chair Murphy and Members of the Planning Commission

FROM: Alyson Hunter, Senior Planner

MEETING DATE: December 19, 2019

SUBJECT: Zoning Map Amendment to Prezone the Mission Linen Property at 801 Sunset Drive to Light Commercial (C-1)

CEQA: Does Not Constitute a “Project” per § 15378 California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION
Consider and recommend approval of a zoning map amendment to prezone the property located at 801 Sunset Drive to Light Commercial (C-1) pursuant to Pacific Grove Municipal Code (PGMC) § 23.84 as directed by the City Council in its November 20, 2019, adoption of Resolution of Intention No. 19-028.

DISCUSSION
Background
The three (3) acre property has been developed with an industrial laundry facility since the 1980s. A 60’ tall wireless telecommunications facility was developed at the rear of the site in 2014. The property is located in the County of Monterey’s unincorporated area and planned and zoned Resource Conservation (RC) with an allowed density of one (1) unit per 10 acres. The facility has been nonoperational for approximately three (3) years.

Surrounding Uses
The property is an “island” of County jurisdiction surrounded on all sides by the City boundary. To the west is an approximately 5.9 acre property planned and zoned for residential duplex development, the City’s Rip Van Winkle Open Space Park is located immediately to the south, and Pacific Grove High and Forest Grove Elementary Schools are located across Congress Avenue to the east. The Pebble Beach Company properties are located to the southwest beyond the City boundary.

Pre-Zoning
A property must be pre-zoned prior to its annexation; the act of pre-zoning, however, does not guarantee or set into motion the formal annexation process. The property was identified in the City’s adopted 1994 General Plan as the only property within the Sphere of Influence identified for future annexation. It was, at the time of the adoption of the General Plan, assigned a land use designation of Neighborhood Commercial. The proposed pre-zoning of the property to Light Commercial (C-1) is consistent with its existing General Plan designation, Commercial, as depicted on Figure 1-2 in the City’s General Plan.

The C-1 zoning district is versatile. It would allow the owner, Mission Linen Supply, to reinstate the former industrial laundry operations at some point in the future. It also allows mixed-use
development, multi-family residential development with a Use Permit, and a wide variety of other uses as indicated in PGMC Table 23.31.030.

The proposed pre-zoning is in compliance with Cal. Gov. Code § 65859, which provides that a city may, pursuant to this chapter, pre-zone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city. The zoning shall become effective if and when the property is annexed.

No changes to the property’s existing use(s), utilities serving the existing uses, ownership, or any other aspect of the property is authorized by this action; the property will remain under the full force of Monterey County land use authority until such time as it is annexed to the City.

Pre-zoning requires the same findings that are required for zoning ordinance/map amendments as set forth in PGMC § 23.84.060(b). The findings are included in the Resolution of Intention (attached). The adoption of the Resolution of Intentions authorizes the Planning Commission to review the zoning map amendment/pre-zone and make its own recommendation back to the City Council for final action. The final action will be the adoption of a zoning ordinance pre-zoning the property to C-1.

California Environmental Quality Act (CEQA)
The pre-zoning of the subject property is exempt from environmental review per § 15378(B)(5) of the California Environmental Quality Act (CEQA) Guidelines which pertains to administrative activities of governments that will not result in direct or indirect physical changes in the environment.

The pre-zoning does not authorize annexation or any changes to the operations of the business or the development standards that apply to the property. In other words, the act of pre-zoning will not result in either a direct or an indirect physical change in the environment.

RESPECTFULLY SUBMITTED BY:

Alyson Hunter
Alyson Hunter, Senior Planner

Attachments:

1. Council Resolution of Intention No. 19-028
2. Prezone Map Exhibit
RESOLUTION NO. 19-028

A RESOLUTION OF INTENTION TO AMEND THE ZONING MAP THROUGH THE ADOPTION OF A PRE-ZONE AMENDMENT AFFECTING 801 SUNSET DRIVE AND ASSIGNING A PRE-ZONE DESIGNATION OF LIGHT COMMERCIAL (C-1) TO THE UNINCORPORATED PROPERTY.

FACTS

1. Pursuant to Pacific Grove Municipal Code (PGMC) section 23.12.020, the designations, locations and boundaries of the zoning districts within the City of Pacific Grove (City) are established by and delineated upon the map entitled “Zoning Map, City of Pacific Grove, California,” dated January, 1987 (Zoning Map); amendments to the Zoning Map must be adopted by ordinance.

2. The property located at 801 Sunset Drive, also known as Assessor Parcel No. 007-101-036 (property), is owned by Mission Linen Supply, a corporation headquartered in Santa Barbara, California.

3. The three acre property is located within the land use jurisdiction of Monterey County (County) and is currently developed with an industrial laundry facility and a 60’ tall wireless communication facility operated by AT&T. The laundry facility has been inoperable for the past three years, approximately.

4. The property is currently zoned Resource Conservation (RC) and has a General Plan designation of RC with an allowed density of one unit per 10 acres.

5. The property is an “island” of County jurisdiction surrounded on all sides by the City boundary. To the west is an approximately 5.9 acre property planned and zoned for residential duplex development, the City’s Rip Van Winkle Open Space Park is located immediately to the south, and Pacific Grove High and Forest Grove Elementary Schools are located across Congress Avenue to the east. The Pebble Beach Company properties are located to the southwest beyond the City boundary.

6. The property was identified in the City’s adopted 1994 General Plan as the only property within the Sphere of Influence identified for future annexation and, as such, was assigned a General Plan designation of Commercial. The pre-zoning of the property to Light Commercial (C-1) is consistent with its existing General Plan designation as depicted on Figure 1-2 in the City’s General Plan.

7. The proposed Pre-Zoning is in compliance with Cal. Gov. Code § 65859, which provides that a city may, pursuant to this chapter, prezone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city. The zoning shall become effective at the same time that the annexation becomes effective.

8. Pre-zoning requires the same findings that are required for zoning ordinance/map amendments and as set forth herein.
9. No changes to the property's existing use(s), utilities serving the existing uses, ownership, or any other aspect of the property is authorized by this action; the property will remain under the full force of Monterey County land use authority until such time as it is annexed to the City.

10. The Pre-Zoning of the subject property is exempt from environmental review per § 15378(B)(5) of the California Environmental Quality Act (CEQA) Guidelines which pertains to administrative activities of governments that will not result in direct or indirect physical changes in the environment.

FINDINGS

In accordance to § 23.84.060(b) of the Pacific Grove Municipal Code - Findings for Zoning Ordinance/Map Amendments. An amendment to the text of these regulations or the zoning map may be approved only if the review authority first makes all of the following findings, as applicable to the type of amendment:

1. Findings required for all zoning ordinance/map amendments:
   a. The proposed amendment is consistent with the general plan and, if applicable, the certified local coastal program; and
   b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

2. Additional finding for zoning ordinance amendments: the proposed amendment is internally consistent with other applicable provisions of these regulations.

3. Additional finding for zoning map amendments: the site is physically suitable (including ability to meet requested zoning regulations, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The City Council determines that each of the Findings set forth above, as applicable to the proposed zoning map amendment, is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

2. The City Council hereby initiates the pre-zoning of the subject property and directs the Planning Commission review the details of the zoning map amendment for consistency with relevant State law and for compliance with the City’s General Plan and to provide a recommendation to the City Council as set forth in PGMC § 23.84.040.

3. This resolution shall become effective immediately upon adoption by the City Council.

APPROVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE this 20th day of November, 2019, by the following vote:
AYES: Mayor Peake, Councilmembers Amelio, Garfield, Huit, McAdams, Smith, and Tomlinson

NOES: None.

ABSENT: None.

APPROVED: 
Bill Peake

ATTEST: 
Dated: 11/26/19
Sandra Kandell, City Clerk

APPROVED AS TO FORM: 
David C. Laredo, City Attorney
**Existing**
Not zoned

**Proposed**
Prezone to C-1