

ORDINANCE NO. 20-008

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE
AMENDING THE ZONING MAP TO PREZONE THE PROPERTY LOCATED
AT 801 SUNSET DRIVE TO LIGHT COMMERCIAL (C-1) IN ACCORDANCE
TO SECTION 23.12.020 OF THE PACIFIC GROVE MUNICIPAL CODE**

WHEREAS, the subject property is located at the southwest corner of the intersection of Sunset Drive with Congress Ave., on a property known as 801 Sunset Drive and Assessor Parcel No. (APN) 007-101-036;

WHEREAS, the approximately three acre property is located in unincorporated Monterey County and is planned and zoned Resource Conservation, a general plan designation that has a residential density of one unit per 10 acres; and

WHEREAS, the property is an “island” of County jurisdiction surrounded on all sides by lands within the City of Pacific Grove (City) limits;

WHEREAS, the property has been developed with the Mission Linen Supply company’s industrial laundry facility since the 1980s; and

WHEREAS, the laundry facility has been non-operational for approximately three years and the owner, Mission Linen Supply, has indicated that there are no plans to either restart the laundry operations or redevelop the site to another use;

WHEREAS, the act of prezoning the subject property is required per California Government Code Section 65859 to prepare for the eventual annexation of the property into the City; and

WHEREAS, the property was identified as the only property within the City’s Sphere of Influence, as illustrated in Figure 1-2 of the General Plan adopted in 1994, to be considered for annexation; and

WHEREAS, City staff have had preliminary discussions of the proposed prezoning and potential future annexation with Local Agency Formation Commission (staff who are supportive of the prezone and of the potential future annexation from the perspective of orderly development and the efficient delivery of municipal services; and

WHEREAS, City staff have also discussed the prezone and concept of annexation with the property owner who has indicated support; and

WHEREAS, the prezoning of the property to C-1 requires an amendment to the City’s zoning map per Pacific Grove Municipal Code (PGMC) Section 23.12.020; and

WHEREAS, the C-1 zoning district would allow the owner to reinstate the former industrial laundry operations at some point in the future, if so desired. The designation also allows mixed-use development, multi-family residential development with a Use Permit, and a wide variety of other uses; and

WHEREAS, the prezone qualifies for an exemption per Section 15319(a) of the California Environmental Quality Act Guidelines. This exemption allows annexations to a city of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The property site is already developed and no additional development or change of use is proposed at this time that would require the extension of utility services.

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

SECTION 1. The City Council hereby makes the following findings as required per PGMC Section 23.84.060(b) for zoning ordinance and map amendments:

- (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.

SECTION 2. The subject property is included as Exhibit 1 and referenced herein.

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement effect 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 18th day of March 2020, by the following vote:

AYES: Mayor Peake, Mayor Pro Tem Huitt, Councilmembers Amelio, Garfield,
Smith and Tomlinson.

NOES: None.

ABSENT: Councilmember McAdams.

APPROVED:



BILL PEAKE, Mayor

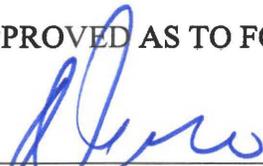
ATTEST:

DATED: 3/23/2020



SANDRA KANDELL, City Clerk

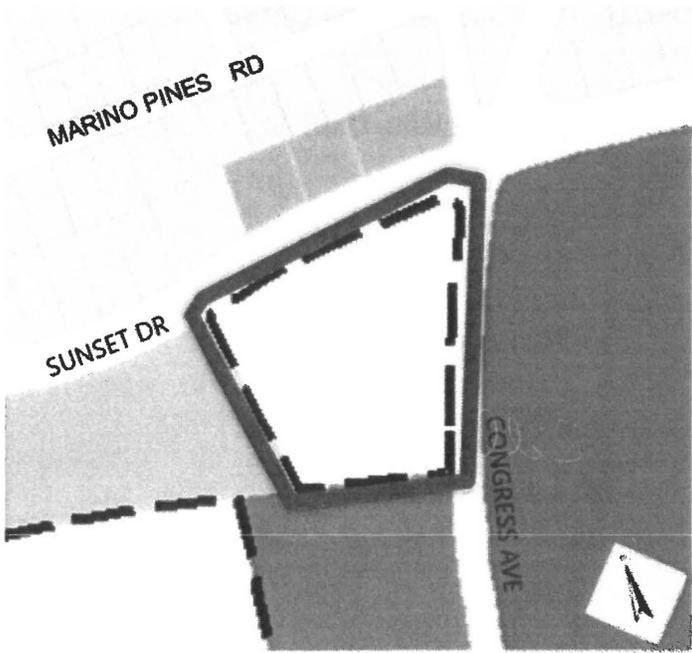
APPROVED AS TO FORM:



DAVID C. LAREDO, City Attorney

Exhibit 1

Existing
Not Zoned



Proposed
Prezone to C-1

