

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, Huitt, McAdams, Smith, and Tomlinson

NOES: None.

ABSENT: None.

APPROVED:

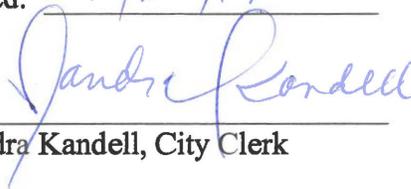


Bill Peake, Mayor

ATTEST:

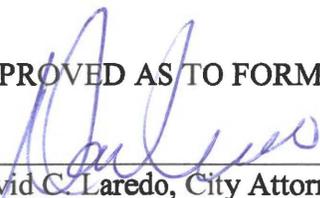
Dated:

11/26/19



Sandra Kandell, City Clerk

APPROVED AS TO FORM:



David C. Laredo, City Attorney