

RESOLUTION NO. 14-067

APPROVE A RESOLUTION AMENDING COUNCIL POLICY NO. 600-5 TO CLARIFY MEASURE U AMENDMENTS TO THE R-3-M DISTRICT

FINDINGS

1. In 1986, a ballot initiative (Measure C) was adopted by the City of Pacific Grove voters, at the request of several residents living near the R-3-M District, designed to limit the growth and intensity of the 18 motels and hotels in the district at that time. Measure C restricts the density, building height, and setbacks of new motels or any motel expansion. It also requires that any property seeking to expand or alter a nonconforming motel come into complete compliance with the R-3-M District for the entire use.
2. In 1998, the Pacific Grove City Council approved Council Policy No. 600-5, in order to provide guidance on how to properly implement those portions of Measure C that had led to long standing interpretive difficulties.
3. In 2007, the Hotel Improvement District (HID) approached the City to request relief from some requirements of the R-3-M District (PGMC Chapter 23.52). The hoteliers desired to upgrade and modernize their businesses to stay competitive, but felt constrained by the nonconforming status of their motels. In response, the City formed a subcommittee, composed of hoteliers, PG Chamber of Commerce representatives, adjacent residents, and City staff, to analyze the issues and to develop draft code amendments. In 2011, the subcommittee culminated its work with a recommended set of draft R-3-M amendments.
4. In 2011, the City Council approved placing the draft amendments on the November 8, 2011 ballot (Measure U), and the voters overwhelmingly approved the zoning changes.
5. Since 2011, the Pacific Grove Planning Commission has approved two motel expansion projects under the amended R-3-M District. During the review of these projects, questions arose as to the interpretation of the Measure U amendments, leading the Chamber of Commerce to request clarification as to whether new construction and/or conversions under PGMC Section 23.52.035 that do not increase or expand a nonconforming aspect of a property would be required to bring other unrelated nonconforming aspects/features of the property into conformance with all zoning requirements.
6. In response, City staff prepared clarifying language to add to City Council Policy 600-5 to reflect the Measure U amendments. The Policy update clarifies that motel expansions meeting the requirements of PGMC Section 23.52.035 need not bring other unrelated nonconforming aspects of the property into conformance. In October, staff received concurrence from the former subcommittee members that the Policy update properly reflects Measure U. On October 16, 2014, the Planning Commission reviewed the Policy update and found that it appropriately addressed the Chamber of Commerce's concerns.

7. The action proposed by this Resolution does not constitute a "Project" as that term is defined under the California Environmental Quality Act (CEQA), CEQA Guideline Section 15378.

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

1. The Council determines that each Finding set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The Council hereby amends Council Policy No. 600-5 to clarify the Measure U amendments approved by the voters in November 2011, pursuant to Exhibit A.
3. This Resolution shall take effect immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 5th day of November, 2014, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius, Miller

NOES: None

ABSENT: None

APPROVED:

BILL KAMPE, Mayor

ATTEST:

ANN CAMEL, Interim City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney