



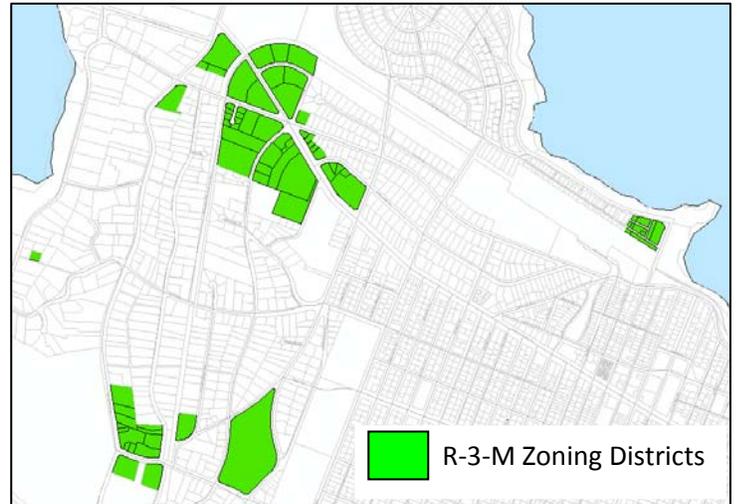
R-3-M ZONING CHANGES FOR MOTELS

Information Bulletin No. 26

On November 8, 2011, the voters overwhelmingly approved Measure U, which eases some of the R-3-M zoning district (PGMC Chapter 23.52) regulations for motels and hotels within the City of Pacific Grove. Measure U is an amendment to the 1986 Measure C, a voter approved motel ordinance that has maintained the unique residential character of Pacific Grove since its passage. Measure U modifies some requirements of Measure C, balancing hotelier, city and residential concerns by:

- Offering more opportunities for innkeepers to upgrade their motel properties,
- Stimulating a possible increase in Transient Occupancy Tax (TOT) revenues, and
- Preserving the original intent of Measure C to protect the residential character of the City and prevent motel impacts on surrounding neighborhoods.

Measure U applies only to R-3-M district motels. It does not apply to the Holman block, bed and breakfast inns or timeshares.



Most pre-1986 motels exceed Measure C guidelines, and are considered "legal nonconforming." Under Measure C, nonconforming motels could not be altered or expanded without bringing the entire property into zoning conformance, making upgrades extremely difficult. Measure U allows for renovations within the existing motel footprint, improving their competitive position in the marketplace.

Potentially 79 new rooms in motels built prior to 1986 will be allowed, 47 from new construction, 32 from divisions within existing structures. While some relief in building setback and height standards would apply only to the 47 newly constructed units, the standards are still intended to protect the privacy of nearby residences. Off-street parking and adequate water supply requirements do not change.

Motels Built Before 1986 – There are 18 motels built prior to 1986 within the R-3-M District that are affected by Measure U. Based on their existing guest unit to lot area ratio, they were placed into three groups:

Group A - **motels that can construct additional units by conversion of existing buildings or by new construction**, where the existing number of permitted guest units is less than 170% of the current maximum 1:2,500 density ratio.

Group B - **motels that can construct additional units by conversion of existing buildings only**, where the existing number of permitted guest units is greater than 170%, but less than 250%, of the current maximum 1:2,500 density ratio.

Group C - **motels that cannot construct any additional units** because the existing number of permitted guest units is greater than 250% of the current maximum 1:2,500 density ratio.

Under Measure U, additional guest units are allocated to motels within Groups A and B based on a formula that grants a one-time 20% increase in units over the number of permitted (or “grandfathered”) units, but with a cap of one unit per 1,000 square feet of land, as shown on the back.

New Guest Units Allowed Within R-3-M District for Motels Built Prior to 1986

Address	Permitted Guest Units as of Effective Date of Measure U	Additional Guest Units Allowed Over Permitted Units (in Column to Left)
Group A		
569 Asilomar Avenue	16	3
1095 Lighthouse Avenue	10	2
800 Asilomar Avenue	54	11
221 Asilomar Avenue	18	1
1073 Lighthouse Avenue	27	5
701-709 Asilomar Avenue	28	6
775 Asilomar Avenue	18	4
1100 Lighthouse Avenue	38	8
1101 Lighthouse Avenue	33	7
Group B		
1111 Lighthouse Avenue	49	10
740-750 Crocker Avenue	49	3
650 Dennett Street	31	6
1150 Lighthouse Avenue	66	6
1140 Lighthouse Avenue	37	3
133 Asilomar Avenue	19	4
Group C		
635 Ocean View Boulevard	60	0
625 Ocean View Boulevard	52	0
1038 Lighthouse Avenue	24	0

New guest units have size, building height, setback, and other restrictions. A use permit approval is also required.

Group A motels may use up to three of the additional guest units allowed to instead create a new ancillary facility (e.g., meeting space, dining room, fitness facility), with a size limitation. Motels in Groups B and C may create new ancillary facilities only through conversion of existing buildings and are not limited in size.

For motels in Groups A, B, and C, a nonconforming building damaged or destroyed by catastrophic event or demolished under any other circumstance may be rebuilt to the condition or configuration of the building that existed immediately prior to the event or demolition. Reconstructed one-story buildings may be built to a maximum height of 18 feet, regardless of the pre-existing building height.

For motels in Groups A, B, and C, exterior remodeling within the existing footprint of a nonconforming building may retain existing nonconformities as long as the remodel does not: 1) extend or expand an existing nonconformity, 2) add any new nonconformity, or 3) adversely affect the privacy of adjacent residents.

For all existing and new motels within the R-3-M zoning district, the following minor changes also apply: 1) building eave projections may extend a certain distance into setback areas, 2) once exceeding the rate of six per acre, new fireplaces are limited to natural gas inserts, and 3) the conversion of sliding doors to swinging doors, and similar changes, are not considered an expansion or alteration.

For more information on these R-3-M zoning district amendments, please contact a planner in the Pacific Grove Community Development Department, at (831)648-3190.

The full text of the R-3-M zoning amendments are attached on the following pages, and can also be found online at www.ci.pg.ca.us/cdd.

**Measure U Amendments Approved by Voters on November 8, 2011 and
Certified by Pacific Grove City Council on December 7, 2011**

[New text is underlined.]

**Chapter 23.52
R-3-M DISTRICTS**

Sections:

- [23.52.010](#) Regulations generally.
- [23.52.020](#) Uses permitted.
- [23.52.030](#) Regulations for R-3-M uses.
- [23.52.035](#) Special regulations for motels and hotels built prior to 1986.
- [23.52.040](#) Statement of intent.
- [23.52.050](#) Other provisions.
- [23.52.060](#) Amendment.

23.52.010 Regulations generally.

Effective the date of the adoption of the ordinance codified in this section by the city council or by the voters of the city of Pacific Grove, the regulations of the ordinance codified in this section shall apply in the R-3-M district in lieu of any ordinance or resolution to the contrary:

(a) The R-3-M district is defined as those areas so designated on the official zoning map of the city of Pacific Grove referred to in PGMC 23.12.020. Said districts may be classified by the city council to R-1, R-H, or R-2, where already developed as such, but no new R-3-M districts shall be created.

(b) Motel and hotel uses shall be restricted to the R-3-M district, including any uses accessory or ancillary to a motel. The ordinance codified in this section shall also apply to any use described in PGMC 23.52.020 proposed for the construction or expansion in any R-3-M district, including uses accessory or ancillary to such use. [Ord. 1536 N.S. § 2, 1986].

23.52.020 Uses permitted.

The following uses are permitted in the R-3-M districts:

(a) Any use permitted in the R-3 district, subject to obtaining a use permit for any use for which such is required in an R-3 district;

(b) Motels, subject to first securing a use permit in each case;

(c) Hotels, subject to first securing a use permit in each case;

(d) Adult communities, retirement homes and rest homes, subject to first securing a use permit in each case. [Ord. 575 N.S., 1967; Ord. 453 N.S., 1964; Ord. 263 N.S., 1955; Ord. 210 N.S. § 11-139(1)(a), 1952].

23.52.030 Regulations for R-3-M uses.

(a) A minimum of 2,500 square feet of land shall be required for each family unit and each motel or hotel unit. For other uses described in PGMC 23.52.020(d), the planning commission and/or city council shall determine the amount of land area per occupied unit by judging its similarity to a family unit or motel unit in actual use and impact. For example, a rest home affording separate apartments and parking facilities would be judged a family unit; a hotel which offers amenities identical or substantially similar to a motel would be judged a motel. In no event shall less than 2,000 square feet per occupied unit be allowed, for any PGMC 23.52.020(d) use.

(b) A minimum setback of 20 feet shall be required for all structures in a R-3-M development which abut R-1, R-H, or R-2 property, including streets abutting same. The setback shall be 10 feet for commercial or other R-3-M developments or districts. Eave projections may extend up to three feet into any required yard, but in no case may be closer than three feet to any property line.

(c) The height of the structures shall not exceed 25 feet nor two stories above grade. The height shall be one story above grade and not more than 18 feet where the R-3-M property, or any portion thereof, is within 200 feet of any portion of any property zoned R-1, R-H, or R-2.

(d) The architectural review board, the planning commission and/or the city council shall require the configuration and layout of structures so as to assure that residential areas are not impacted by guest activities such as registration, parking, food and beverage services. Said bodies shall require a design which blends with the residential neighborhood and minimizes the nonresidential impact and use. Appropriate landscaping shall be required throughout the site. Setback areas shall be landscaped and shall not be used for automobile parking, or storage of any kind. Access to the site, where feasible, shall be from a street and/or driveway which does not abut said residential areas.

(e) Wood-burning fireplaces and wood-burning heaters shall be limited to the rate of six per acre, and any additional fireplaces shall be limited to natural gas fireplace inserts.

(f) Any use permit for new construction or other activity resulting in an increase in the number of units or the amount of floor space shall expire one year from its issuance unless construction of the project for which the permit was issued is substantially complete.

(g) Uses which do not conform hereto as of the date of publication of the notice of intention to circulate the petition for the ordinance codified in this section may continue if legally installed prior thereto. Any expansion or alteration of such existing nonconforming use shall require complete compliance herewith for the entire use. The conversion of sliding doors to swinging doors, and similar changes, are not considered an expansion or alteration.

(h) Variances and/or exceptions hereto shall not be granted, except upon strict compliance with state and local law governing such. No variance or exception shall be granted on the basis of failure of opposition thereto.

(i) Any R-3-M district property shall be deemed to be upon a street which abuts or abutting to R-1, R-H, or R-2 property, whenever any part of the R-3-M property is within 20 feet of the abutting street or the R-1, R-H or R-2 property. [Ord. 1536 N.S. § 3, 1986].

23.52.035 Special regulations for motels and hotels built prior to 1986.

This section modifies the development standards in Section 23.52.030 for R-3-M motels and hotels built prior to adoption of Ordinance No. 1536, in order to enable and encourage hoteliers to upgrade and modernize their businesses to stay competitive. Where this section differs from Section 23.52.030, the provisions of this section shall take precedence. Where this section is silent on a provision that is in Section 23.52.030, the provision in Section 23.52.030 shall apply.

(a) Motels and hotels built prior to 1986 are categorized into groups and are allowed additional guest units over the number of permitted guest units, as of the effective date of this section, as follows:

New Guest Units Allowed for Motels and Hotels Built Prior to 1986

<u>Address</u>	<u>Permitted Guest Units as of Effective Date of This Section</u>	<u>Additional Guest Units Allowed Over Permitted Guest Units in Column to Left</u>
<u>Group A¹</u>		
<u>569 Asilomar Avenue</u>	<u>16</u>	<u>3</u>
<u>1095 Lighthouse Avenue</u>	<u>10</u>	<u>2</u>
<u>800 Asilomar Avenue</u>	<u>54</u>	<u>11</u>
<u>221 Asilomar Avenue</u>	<u>18</u>	<u>1</u>
<u>1073 Lighthouse Avenue</u>	<u>27</u>	<u>5</u>
<u>701-709 Asilomar Avenue</u>	<u>28</u>	<u>6</u>
<u>775 Asilomar Avenue</u>	<u>18</u>	<u>4</u>
<u>1100 Lighthouse Avenue</u>	<u>38</u>	<u>8</u>

<u>1101 Lighthouse Avenue</u>	<u>33</u>	<u>7</u>
<u>Group B²</u>		
<u>1111 Lighthouse Avenue</u>	<u>49</u>	<u>10</u>
<u>740-750 Crocker Avenue</u>	<u>49</u>	<u>3</u>
<u>650 Dennett Street</u>	<u>31</u>	<u>6</u>
<u>1150 Lighthouse Avenue</u>	<u>66</u>	<u>6</u>
<u>1140 Lighthouse Avenue</u>	<u>37</u>	<u>3</u>
<u>133 Asilomar Avenue</u>	<u>19</u>	<u>4</u>
<u>Group C³</u>		
<u>635 Ocean View Boulevard</u>	<u>60</u>	<u>0</u>
<u>625 Ocean View Boulevard</u>	<u>52</u>	<u>0</u>
<u>1038 Lighthouse Avenue</u>	<u>24</u>	<u>0</u>

¹ Group A - Motels and hotels where the number of permitted guest units, as of the effective date of this section, is less than 170% of the 1:2,500 density ratio in Section 23.52.030(a). Motels and hotels in Group A may construct additional guest units or ancillary facilities by conversion of existing buildings or by new construction.

² Group B – Motels and hotels where the number of permitted guest units, as of the effective date of this section, is greater than 170%, but less than 250%, of the 1:2,500 density ratio in Section 23.52.030(a). Motels and hotels in Group B may construct additional guest units or ancillary facilities by conversion of existing buildings only.

³ Group C – Motels and hotels where the number of permitted guest units, as of the effective date of this section, is greater than 250% of the 1:2,500 density ratio in Section 23.52.030(a). Motels and hotels in Group C may not construct any additional guest units.

(b) For motels and hotels in Group A, each new guest unit shall be a maximum size of 360 square feet. Since new guest units in Group B motels and hotels must be created by conversion of existing buildings, they may conceivably be greater than 360 square feet in size. No existing guest unit that is less than 360 square feet, as of the effective date of this section, may be

enlarged to exceed 360 square feet in size. No existing guest unit that is 360 square feet or more in size, as of the effective date of this section, shall be enlarged.

(c) Motels and hotels in Group A may use up to three of the additional guest units allowed to instead create a new ancillary facility (e.g., meeting space, dining room, fitness facility), with a maximum size of 1,080 square feet (or 360 square feet for each additional guest unit substituted). Motels and hotels in Groups B and C may create new ancillary facilities only through conversion of existing buildings and are not limited in size.

(d) For motels and hotels in Group A, the setback requirements of Section 23.52.030(b) shall also apply to new guest units or new ancillary facilities that abut any public street or any single-family residence.

(e) For motels and hotels in Group A, building height is two story and not more than 25 feet for new guest units that are at least 50 feet from any property zoned R-1, R-H, or R-2, any public street, and any single-family residence. Building height is one story and not more than 18 feet for new guest units that are at least 20 feet from any property zoned R-1, R-H, or R-2, any public street, and any single-family residence. For property lines of Group A motels and hotels that do not abut any property zoned R-1, R-H, or R-2, a public street, nor single-family residence, building height for new guest units may be two stories and up to 25 feet within 10 feet of the property line. New ancillary facilities in Group A motels and hotels may be one story, with a maximum building height of 18 feet.

(f) For motels and hotels in Groups A and B, the following additional requirements apply to new construction or conversion of existing buildings:

(1) A use permit approval is required. As part of this review, the Planning Commission may impose specific standards pertaining to building design (e.g., building mass, bulk, height, and wall articulation), outdoor lighting, driveway locations, parking areas, landscaping, signs, street dedication, and related public improvements, upon finding that such requirements are necessary to meet the intent of the R-3-M District.

(2) No outdoor living areas are allowed within setbacks abutting residential zones or residential uses. This includes balconies, decks, open porches, patios, or similar outdoor guest activity areas.

(3) Existing landscaping requirements in Section 23.52.030 are expanded to require that within setback areas adjacent to the new development or building conversion, especially abutting residential zones and residential uses, plantings include numerous trees, shrubs and plants that will reduce visual and noise impacts of the motel or hotel use on adjacent properties.

(4) New guest units do not have to be built at one time, but may be developed in phases.

(5) All other R-3-M standards shall apply including, but not limited to, parking and building coverage. New guest units and ancillary facilities must have available water.

(g) For motels and hotels in Groups A, B and C, a nonconforming building damaged or destroyed by catastrophic event or demolished under any other circumstance may be rebuilt to the condition or configuration of the building that existed immediately prior to the event or demolition, as long as the reconstruction is carried out in a manner consistent with PGMC Section 23.68.040. While reconstruction to pre-existing conditions is allowed, elimination of nonconformities is encouraged. Reconstructed one-story buildings may be built to a maximum height of 18 feet, regardless of the pre-existing building height.

(h) For motels and hotels in Groups A, B and C, exterior remodeling within the existing footprint of a nonconforming building may retain existing nonconformities as long as the remodel does not:

(1) Extend or expand an existing nonconformity,

(2) Add any new nonconformity, or

(3) Adversely affect the privacy of adjacent residential-zoned property or residential uses.

(i) No other reconstruction or remodeling may take place, beyond what is allowed in this section for motels and hotels in Groups A, B and C, without bringing the entire property into conformance with Section 23.52.030.

23.52.040 Statement of intent.

It is the intention of the ordinance codified in this section to preserve the essential residential character of the city, and the residential appearance of the city, and to prevent the adverse impacts of such from developments in the R-3-M districts. [Ord. 1536 N.S. § 4, 1986].

23.52.050 Other provisions.

Regulations found in this chapter are subject to the provisions of Chapter 23.24 PGMC, unless there is a conflict, in which event the regulations found in this chapter shall prevail. [Ord. 1536 N.S. § 5, 1986].

23.52.060 Amendment.

PGMC 23.52.010, 23.52.030, 23.52.035 and 23.52.040 shall not be repealed or amended except by a vote of the people. [Ord. 1536 N.S. § 6, 1986].