



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Chair Murphy and Members of the Planning Commission

FROM: Alyson Hunter, Senior Planner

MEETING DATE: March 12, 2020

SUBJECT: Pacific Grove Municipal Code (PGMC) Title 23 Map Amendment for the Asilomar State Park & Conference Grounds at 800 Asilomar Blvd.

CEQA: Zoning Code Amendment Exempt per §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

Discuss the proposed PGMC zoning map amendment and adopt Resolution 20-01 (attached) recommending approval to the City Council.

BACKGROUND

The proposed map amendment was previously before the Planning Commission on November 7, 2019, as part of a larger zoning map “clean-up” exercise. It was determined at that time that this proposed change was not a “correction” as it was described and noticed, but a change in zoning requiring a separate review. In researching the history of the zoning on the Asilomar State Park & Conference Grounds at 800 Asilomar Boulevard (State Park or Property), City staff discovered it was not historically zoned Open Space (O) as previously assumed. The O District regulations can be reviewed in PGMC [Section 23.42](#).

The current zoning map has several errors that are in the process of being corrected, and shows the subject Property with a hatching pattern that matches the hatching pattern for the Light Commercial/Hotel/Condominium District (C-1-T), which reflects a voter initiative affecting only the Holman Building block in downtown Pacific Grove.

Changing this Property to Unclassified (U) zone was considered, but the uses allowed in the O zone more closely fit the recreational and institutional operations of the State Park as discussed further below. The U District regulations can be reviewed in PGMC [Section 23.44](#).

DISCUSSION

Ordinance 1555, which implemented Measure D, an initiative approved by the voters in 1986, indicates that the State Park Property was zoned Residential Single-Family (R-1-B-3), and then erroneously displayed as C-1-T in 2013. Although the property appears to never have been zoned O, there is no reason that it cannot be zoned O since it meets the intent and characteristics of the O zone. Any properties that were not part of the voter initiative, but are added later through the standard zoning map amendment process – like this one – do not require a vote of the people. At its November 7th meeting, the Planning Commission supported changing the zoning of the Property to Open Space, which allows it to continue its historic public access, recreation, and beneficial restoration uses. Furthermore, the State Park administration is supportive of this change.

The (O zoning district allows the following uses: recreation areas, wildlife preserves, forest preserves, waterfront areas, parks, playgrounds, public or civic buildings, structures and parking facilities,

pertinent and compatible with open land usages. This zoning is consistent with its existing land use designations of Open Space-Institutional (OS-I) and Open Space-Recreational (OS-R) adopted in the Local Coastal Program (LCP).

As mentioned previously, the U zone was considered given its allowed uses include: public parks, recreation areas, and public or civic buildings. The O district, however, more closely aligns with the current uses and mandates of the State Park system in general and remains the staff recommendation.

This proposed amendment is reflected in Resolution 20-01, which also includes a map exhibit showing the affected State Park Property.

Note Regarding the Attached Draft Ordinance In addition to the zoning map amendment for the State Park, the attached draft ordinance includes the text amendment to delete § 23.16.090 (R-1-B-2), and the twelve properties that the Planning Commission recommended for a zoning map change on November 7, 2019, changing the zoning from R-1-B-2 and C-1-T/R-1-B-3 to R-1.

COMPLIANCE WITH CEQA

Exempt from environmental review per CEQA Guidelines § 15061(b)(3): 15061. Review for Exemption:

(a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.

(b) A project is exempt from CEQA if:

(3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Assigning an appropriate zoning designation to the State Park that allows it to continue its public mandate of access to the beach and restoration of the grounds and sensitive dune habitat has no possibility of having a significant effect on the environment. Any development, as defined in the City's LCP, that the State Parks undertakes at this location will be subject to individual environmental review associated with any required discretionary permit; i.e., a Coastal Development Permit.

CITY COUNCIL GOAL ALIGNMENT

Goal 8 – Operational Excellence. These amendments will result in the concise, accurate, and consistent display and dissemination of zoning information which will improve the Community Development Department's delivery of Planning services.

RESPECTFULLY SUBMITTED BY:



Alyson Hunter, Senior Planner

Attachments

1. Resolution 20-01
2. Proposed Ordinance

PLANNING COMMISSION RESOLUTION NO. 20-01

RESOLUTION OF INTENTION TO AMEND THE ZONING MAP OF THE PACIFIC GROVE MUNICIPAL CODE REZONING THE ASILOMAR STATE PARK & CONFERENCE GROUNDS PROPERTY (800 ASILOMAR BLVD.) FROM LIGHT COMMERCIAL-HOTEL-CONDOMINIUM (C-1-T) TO OPEN SPACE (O)

FACTS

1. In 2013, the City Council adopted Ordinance No. 13-003, which amended the “Zoning Map, City of Pacific Grove, California” dated January 1987, adopted by Ordinance No. 1574 N.S. The 2013 amendment reflected a variety of changes to the text of the City of Pacific Grove (City) zoning code and to the zoning map.
2. Since that time, City staff identified a number of administrative errors to the map that require correction. One of these properties is the Asilomar State Park & Conference Grounds located at 800 Asilomar Blvd. (Property), which is incorporated by reference as Exhibit 1.
3. Ordinance 1555, which implemented Measure D, an initiative approved by the voters in 1986, indicates that the Property was zoned Residential Single-Family (R-1-B-3), and then erroneously displayed as part of the C-1-T zoning district in 2013.

FINDINGS

In accordance to Section 23.84.060(b) of the Pacific Grove Municipal Code (PGMC) - 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. Staff has provided responses for the Commission’s consideration and adoption in *italics* below:

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.
- a. *The proposed zoning change to Open Space will not inhibit the development potential of the affected Property as the State Park will retain land use authority under the State’s Master Planning process and will be in conformance with the existing land use designations of Open Space-Institutional (OS-I) and Open Space-Recreational (OS-R) as reflected on the newly adopted Local Coastal Program land use map. The City will have*

Coastal Development Permit authority for development within the Park that is subject to the City's adopted Local Coastal Plan.

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

n/a

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.

The proposed zoning map amendment correctly assigns a zoning district to a developed State-owned property. No new development is proposed at this time.

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

1. The Commission determines that each of the Findings set forth above, as applicable to the proposed zoning map, is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The Commission recommends that the City Council approve the zoning map affecting the subject property in Exhibit 1, referenced herein, in an effort to correct a known mapping inaccuracy.
3. This resolution shall become effective upon the expiration of the 10-day appeal period.

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF PACIFIC GROVE this 12th day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

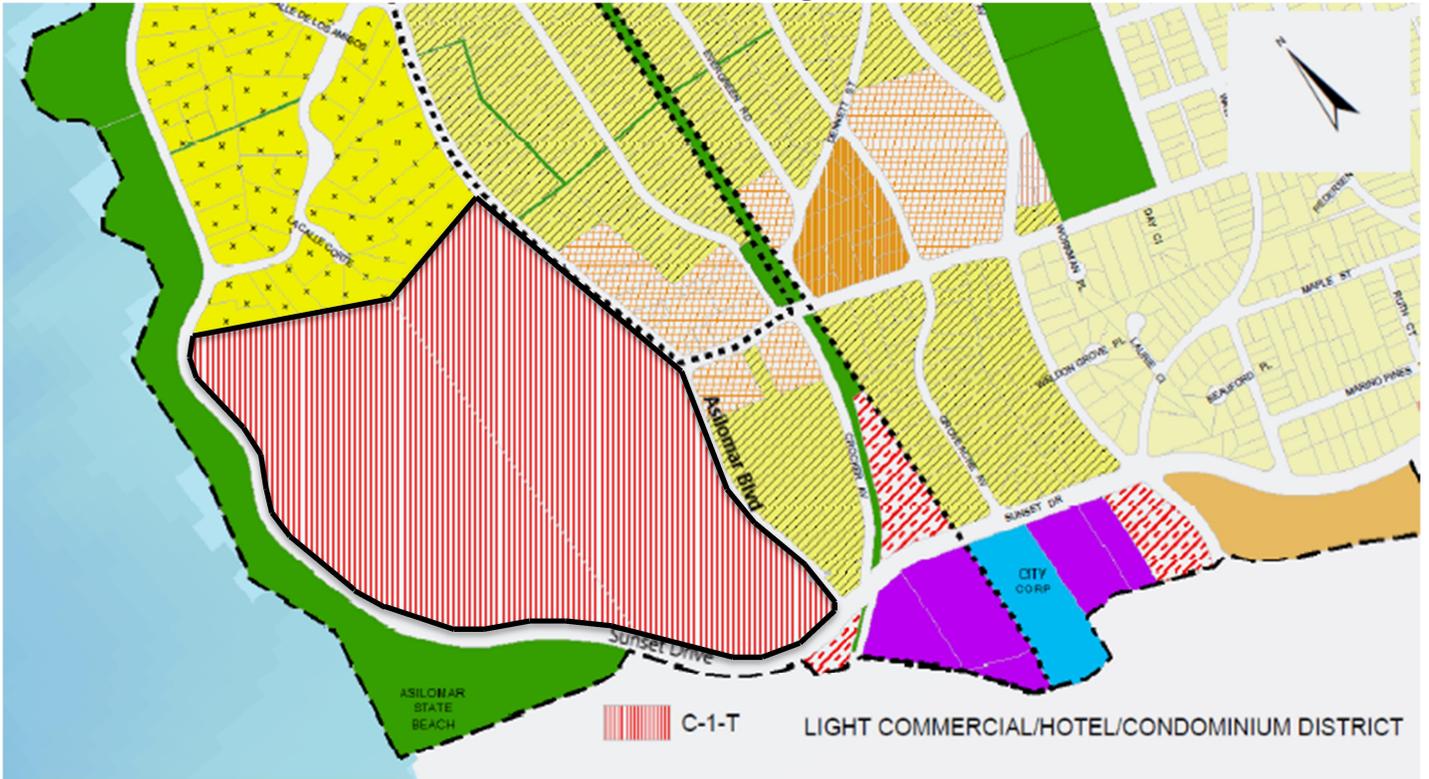
APPROVED:

Donald Murphy, Chair

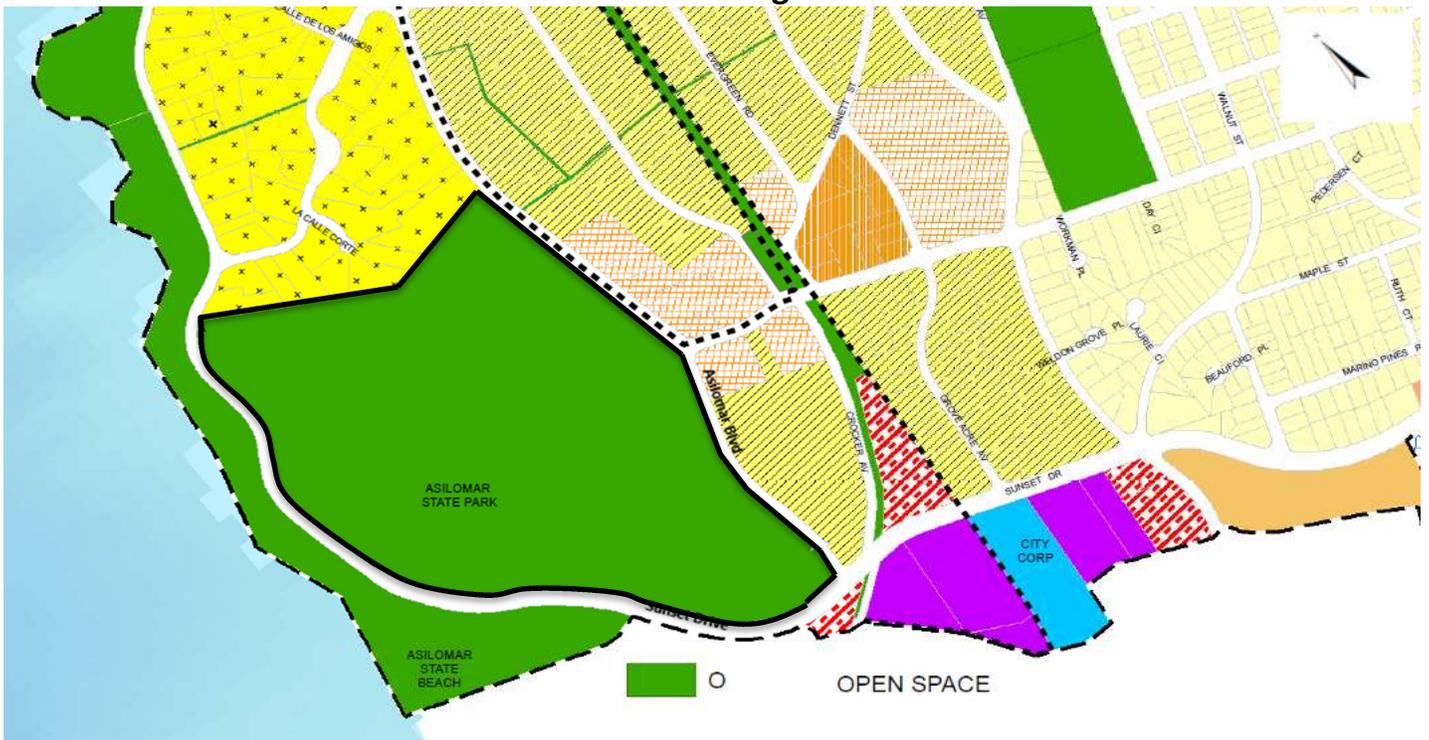
ATTEST:

Mark Chakwin, Secretary

Existing
C-1-T Zoning



Proposed
O Zoning



ORDINANCE NO. 20-____

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE
TO: 1) AMEND THE ZONING MAP TO REZONE THE ASILOMAR STATE PARK &
CONFERENCE GROUNDS (STATE PARK) FROM C-1-T TO O DISTRICT, AND
TWELVE OTHER PROPERTIES FROM R-1-B-2 AND R-1-B-3 TO R-1 DISTRICT;
AND 2) AMEND THE PGMC TO DELETE SECTION 23.16.090, THE R-1-B-2
ZONING DISTRICT**

WHEREAS, staff review of the City of Pacific Grove’s (City) current zoning map revealed the need for several corrections and proposed amendments; and

WHEREAS, the Pacific Grove Municipal Code (PGMC) Section 23.84.010 provides procedures for legislative amendments to the general plan, title 23, the zoning map, the local coastal program, specific plans, or other amendments, whenever required by necessity and general welfare; and

WHEREAS, the PGMC sets forth noticing and public hearing requirements that were satisfied by the November 7, 2019, and March 12, 2020, noticed public hearings of the Planning Commission wherein property owners and neighbors were notified of the proposed changes and given the opportunity to provide both written and verbal testimony; and

WHEREAS, the affected owners and neighbors were noticed again for the City Council’s consideration of the proposed amendments at its _____, 2020, public meeting; and

WHEREAS, at its _____, 2020 meeting, the Planning Commission recommended approval of the rezoning of the Asilomar State Park & Conference Grounds (State Park) to O District; and

WHEREAS, the State Park property, located at 800 Asilomar Blvd., consists of four properties totaling approximately 70 acres and situated on the east and west sides of Asilomar Blvd., between Sunset Drive to the south and Sinex Ave. to the north; and

WHEREAS, the zoning map amendment effects only the approximately 60-acre (APN 006-591-001) parcel on the west side of Asilomar Blvd, which contains the main headquarters for the State Park, the historic structures designed by early 20th century architect, Julia Morgan, and an important dune ecosystem; and

WHEREAS, Ordinance 1555, which implemented Measure D, an initiative approved by the voters in 1986, indicates that the State Park property was zoned Residential Single-Family (R-1-B-3), and then erroneously displayed as C-1-T in the zoning map adopted by Council in 2013; and

WHEREAS, the appropriate zoning district for this portion of the larger State Park property is Open Space (“O”), which is consistent with the underlying Open Space-Institutional

and Open Space-Recreational land use designations adopted in the City’s new Local Coastal Plan (LCP); and

WHEREAS, per PGMC Section 23.42, the “O” District is intended to provide areas which are set aside for scenic vistas, forest preserves, public recreational, waterfront, or beach areas, public parks, or similar open space. Uses allowed include recreation areas, wildlife and forest preserves, waterfront areas, parks, playgrounds, public or civic buildings, structures and parking facilities, pertinent and compatible with open land usages; and

WHEREAS, future development within the State Park will continue to rely on the State Park’s General Plan, in accordance to Public Resources Code Section 5003, with the City providing Coastal Development Permit (CDP) authority only; and

WHEREAS, at its November 7, 2019, meeting, the Planning Commission recommended approval of a zoning map amendment affecting the twelve properties, as listed in the tables below; and

WHEREAS, the zoning change to Residential Single-Family (R-1) would allow four of the subject properties, potentially, to be subdivided, which would provide additional residential development and housing opportunities; and

WHEREAS, the proposed R-1 zoning district is compatible with the underlying General Plan designations for these listed properties; and

Property Address	Assessor Parcel No.	Appr. Parcel Size (sf)	Current Zoning	Proposed Zoning	Current Gen. Plan
701 17 Mile Dr.	006-561-013	3,859	C-1-T (Commercial)	R-1 (Single-Family-4,000 sq. ft. min.)	MD 17.4 du/ac
703 17 Mile Dr.	006-561-012	3,967	C-1-T (Commercial)	R-1	MD 17.4 du/ac
705 17 Mile Dr.	006-561-010	4,127	R-1-B-3 (Single-Family-10,000 sf min.)	R-1	MD 17.4 du/ac
707 17 Mile Dr.	006-561-008	4,127	R-1-B-3 (“)	R-1	MD 17.4 du/ac
709 17 Mile Dr.	006-561-014	4,244	R-1-B-3 (“)	R-1	MD 17.4 du/ac
711 17 Mile Dr.	006-561-015	5,383	R-1-B-3 (“)	R-1	MD 17.4 du/ac
990 Sinex Ave.	006-561-005	9,800	R-1-B-3 (“)	R-1	MD 17.4 du/ac
980 Sinex Ave.	006-561-006	7,686	R-1-B-3 (“)	R-1	MD 17.4 du/ac

WHEREAS, at its November 7, 2019, meeting, the Planning Commission recommended approval to rezone four properties located near the intersection of Asilomar Dr., Jewell Ave., and Crocker Ave. from Residential Single-Family with a 6,000 sq. ft. minimum parcel size (R-1-B-2) to Residential Single-Family (R-1), which has a 4,000 sq. ft. minimum parcel size. The subject properties are known as APN 006-114-011 (135 Asilomar Blvd.), 006-114-010 (145 Asilomar), 006-382-032 (1205 Jewell Ave.), and 006-382-035 (200 Crocker Ave.) and are further described in the table below; and

Property Address	Assessor Parcel No.	Appr. Parcel Size (sf)	Current Zoning	Proposed Zoning	Current Gen. Plan
135 Asilomar Blvd.	006-114-011	9,726	R-1-B-2 (Single-Family-6,000 sf min.)	R-1	LD 2 du/ac
145 Asilomar Blvd.	006-114-010	10,773	R-1-B-2	R-1	LD 2 du/ac
1205 Jewell Ave.	006-382-032	6,959	R-1-B-2	R-1	LD 4.4 du/ac
200 Crocker Ave.	006-382-035	8,904	R-1-B-2	R-1	LD 4.4 du/ac

WHEREAS, the zoning amendment does not change the allowed uses on each of the properties and, in the case of 701 and 703 17 Mile Drive, corrects a previous mapping error; and

WHEREAS these four properties are the last properties in the City with the R-1-B-2 zoning district; and

WHEREAS, since, upon adoption of this Ordinance by the City Council, there will no longer be any properties in the City with R-1-B-2 zoning, staff recommends the classification be deleted through this text amendment. The zoning classifications of R-1 and R-1-B-3 (4,000 sf and 10,000 sf, respectively) are sufficient to capture the existing single-family properties; and

WHEREAS, the proposed PGMC Zoning Ordinance and Map Amendments are exempt from environmental review per Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines which exempts a project if there is no potential for causing a significant effect on the environment. In other words, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This is also known as “the common sense” exemption.

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

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. 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.

The proposed zoning changes will not inhibit the development potential of the affected properties; where applicable, the proposed amendments are consistent with the underlying general plan and local coastal program. There is no indication that the zoning reclassification of the State Park property to Open Space (O), the zoning reclassification of the other 12 properties aforementioned to Residential Single-Family (R-1), and the deletion of PGMC § 23.16.090 (R-1-B-2) would be deleterious to City or to the interest, health, safety, convenience, or welfare of the public.

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

The amendment of PGMC to delete § 23.16.090 (R-1-B-2) is not required to be internally consistent with other provisions as the intent is to remove the section completely.

(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.

No new development is proposed as part of the zoning map amendments.

SECTION 3. The Asilomar State Park and Conference Grounds property is rezoned O District, as reflected in Exhibit 1 and incorporated by reference herein.

SECTION 4. The twelve residential properties affected by the zoning map amendment are described in the tables above, and are rezoned R-1 District.

SECTION 5. Existing Municipal Code Section 23.16.090, entitled “R-1-B-2 districts” shall be deleted in its entirety as follows:

~~_____ 23.16.090 R-1-B-2 districts.~~

~~(a) The regulations in this section shall apply in all R-1-B-2 combined districts.~~

~~(b) Except as provided in subsection (c) of this section all regulations and provisions set out in PGMC [23.16.010](#) through [23.16.070](#), inclusive, shall apply in the R-1-B-2 combined districts.~~

~~(c) Exceptions.~~

~~(1) Building site area required: for each dwelling, a minimum 6,000 square feet and a minimum width of 60 feet shall be required.~~

~~(2) Front yard setback required: minimum 20 feet.~~

~~(3) Rear yard setback required: 20 percent of lot depth with a minimum requirement of 20 feet and a maximum required of 25 feet.~~

~~(4) Parking standards: two covered spaces required.~~

SECTION 6. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 7. 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 8. 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 _____ day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

DATED: _____

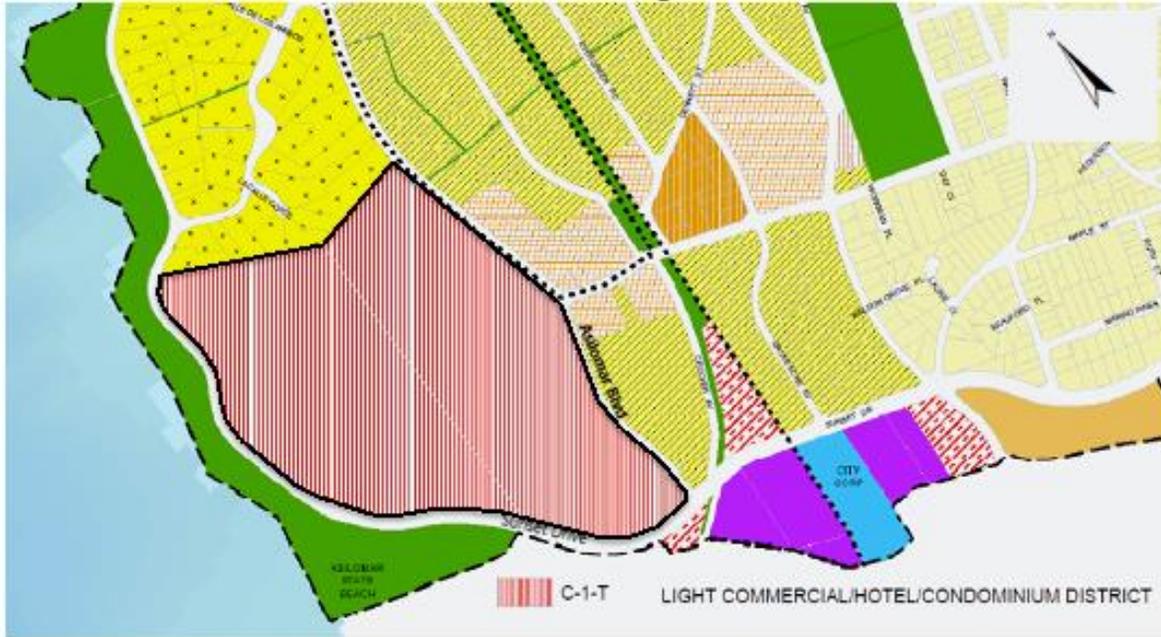
APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney

DRAFT

Exhibit 1

Existing
C-1-T Zoning



Proposed
O Zoning

