



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

**AGENDA REPORT**

**TO:** HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** Councilmember Scott Miller  
**MEETING DATE:** May 7, 2008  
**SUBJECT:** Continued Discussion On Illegal Housing Policies

**RECOMMENDATION:**

Continue Discussion/Refine Response to Illegal Housing Issues

**DISCUSSION:**

At our last meeting we had a lengthy discussion regarding enforcement of our codes relative to illegal housing units. We instructed staff to proceed with said enforcement. Several questions on this subject were raised during that discussion, but left unresolved. Other questions have been raised since then. Some questions that need answering:

1. If the City initiates proceedings to remove individuals from illegal housing units, who is responsible for relocation costs?
2. If possible illegal housing units are identified with the assistance of the grant used to study the size and scope of illegal housing within the City, are there any ramifications of said use?
3. What actually constitutes an “illegal housing unit?” Are these units that are “non-conforming” due to changes in zoning, but were legal at some point in time? Are these units that were constructed illegally in the first place, without benefit of building permits? What is our working definition of “illegal housing unit?”
4. Why wasn’t it possible to legalize or “grandfather” more of these illegal units into our affordable housing stock during the two year legalization program? Why were applications rejected? Do we have any anecdotal information as to why more owners of illegal units didn’t apply for legalization? Is there any expectation that this program would be more successful if conducted again?
5. Can we estimate how many auxiliary units could be legally built in town under the recent state law, coupled with our matching city ordinance, that basically mandates allowance of auxiliary units? (I believe the current estimate is over 1,000 units).

6. Would it be appropriate to designate the Housing Program manager as the coordinator and primary contact on issues of illegal housing within the City, including compliance and enforcement?
7. Can a compliance program be regenerated and on-going in the event more owners of illegal units find such compliance now desirable?

I believe we need to have these points clarified if we expect to generate understanding of and compliance with our housing ordinances and enforcement program. Answers to these questions should be available through various sources and would assist Council in making informed decisions on illegal housing issues.

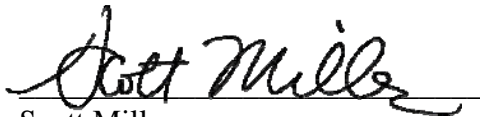
**FISCAL IMPACT:**

To Be Determined

**ATTACHMENTS:**

None

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Scott Miller", written over a horizontal line.

Scott Miller  
COUNCILMEMBER