



## Notice of Regular Meeting

### ECONOMIC DEVELOPMENT COMMISSION

**THURSDAY, December 8, 2016 4:00 P.M.**

City Manager's Conference Room  
300 Forest Avenue, Pacific Grove, CA

- 1) **Call to Order / Roll Call**
- 2) **Approval of Agenda**
- 3) **Commissioner and Council Liaison Announcements**
- 4) **Public Comments**

*(Comments from the audience cannot receive Commission action. Comments must deal with matters subject to the jurisdiction of the Commission and will be limited to three minutes. Whenever possible, letters are to be submitted to the Commission in advance of the meeting.)*

- 5) **Approval of Minutes**

- a) November 10, 2016 (**Attachment A**)

- 6) **Code Enforcement Presentation:** *Reference: Quinton Roland and Terri Schaffer*

- 7) **Unfinished/Ongoing**

- a) **LEAP Report:** Update on presentation at City Council and follow up on last month's discussion on EDC priorities: Take action if necessary. *Reference: Jacquie Atchison and Ruth Matthews*

- 8) **New Business**

- a) **Ordinance 16-012 Construction Noise Limitations (Attachment B):** Review, discuss and take action, if necessary. *Reference: Willy Nelson*

- 9) **Reports**

- a) N/A

**Next meeting:** January 12, 2017 4:00pm

**Adjournment**

THIS MEETING IS OPEN TO THE PUBLIC AND ALL INTERESTED PERSONS ARE WELCOME TO ATTEND. THE CITY OF PACIFIC GROVE DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES AND MEETINGS ARE HELD IN ACCESSIBLE FACILITIES.



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MEETING MINUTES- Draft

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City of Pacific Grove  
Economic Development Commission  
Minutes - Draft  
Thursday, November 10, 2016 4:00 p.m.  
City Manager's Conference Room  
300 Forest Avenue, Pacific Grove, CA

**1) Call to Order/Roll Call**

Chair Atchison called the meeting to order at 4:00 p.m.

**Present:** Chair Atchison, Vice Chair Davis, Secretary Matthews, Commissioners Cohen, Addeman, Bain, and Ammar. City Council Liaison, Mayor Bill Kampe

**Absent:** Commissioners Stillwell and Nelson and Staff Liaison, Mark Brodeur, Community and Economic Development Director

**2) Approval of Agenda**

**Action:** Upon motion by Commissioner Davis and seconded by Commissioner Ammar, the approval of the Agenda was passed unanimously.

**3) Commissioner and Council Liaison Announcements**

- Chair Atchison reminded the Commissioners with expiring terms, to complete the re-appointment application by December 30, 2016.
- Commissioner Ammar announced that a prime retail space will now be occupied by a professional group which will contribute no sales tax revenue.
- Mayor Kampe indicated that the end of election gathering at the Masonic Lodge was enjoyed by a large group of residents. The new City Council will be sworn in on December 7th, the next council meeting. Mayor Kampe suggested we all attend and show our support for the new council.

**4) Public Comments - None**

**5) Approval of Minutes**

**Action:** Motion made by Commissioner Cohen and seconded by Commissioner Addeman to approve the October 13, 2016 minutes. Motion approved unanimously.

**6) Unfinished/Ongoing**

- CALED LEAP Report (Attachment B):** Discuss priorities and take action, if necessary. Reference: Jacquie Atchison. The Commissioners discussed the report and what should be our focus for the next six months, including reviewing and updating restrictive ordinances that affect economic development. Chair Atchison will attend the November 16th Council meeting and present highlights of the report and EDC's involvement with staff and the community.
- Small Business Saturday:** Discuss marketing opportunities and take action, if necessary. Reference: Jacquie Atchison. Chair Atchison researched placing ads in newspapers in Sacramento, Central Valley and San Francisco Bay Area but found the costs too prohibitive. Instead we will focus locally on our "Shop Pacific Grove" campaign including Facebook posts costing approximately \$500 and three (3) newspaper ads in the Cedar St Times, with a budget of \$1,500. Commissioner Ammar volunteered to create the newspaper ad, including a photo of Mayor Kampe and coordinate the publication, committing

that this would be an EDC advertisement, not a Chamber advertisement. Motion made by Vice Chair Davis and 2nd by Chair Atchison to allocate \$1,500 for ads "Shop Pacific Grove" to be published in the Cedar Street Times over three (3) weeks. Motion approved unanimously.

**7) New Business**

- a. **Ordinance 16-012 Construction Noise Limitation (Attachment C)** Review, discuss and take action, if necessary. Reference: Willy Nelson

Willy Nelson was unable to attend today's meeting. Agenda item tabled until our December 8th meeting.

**8) Reports**

- a) **Economic Development Director's Report:** Mark Brodeur was not present to present a report.

**ADJOURNMENT**

Meeting adjourned at 5:19 p.m.

Respectfully submitted,

Ruth Matthews, Secretary

**ORDINANCE NO. 16-012**

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE TO  
ENACT CONSTRUCTION NOISE TIME LIMITS BY MODIFYING  
MUNICIPAL CODE CHAPTER 11.96**

**WHEREAS**, in 1995, the City of Pacific Grove (City) determined regulation of noise was necessary and enacted Pacific Grove Municipal Code (PGMC) Chapter 11.96; and

**WHEREAS**, the City has many residential neighborhoods where residents value peace and quiet; and

**WHEREAS**, the City desires to protect residents from the harmful effects of excessive noise; and

**WHEREAS**, construction, alteration, remodeling, demolition and repair activities are inherently noisy and can affect adjacent neighbors; and

**WHEREAS**, this action is not a project under section 15378 (b),(2) of the CEQA Guidelines, set forth in California Administrative Code, Title 14, Section 15000, et seq.

**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.** Chapter 11.96 of the Pacific Grove Municipal Code shall be modified as shown in Section 3 of this ordinance.

**SECTION 3.** The text set forth in this section shall be added as a new section 11.96.040 of the Pacific Grove Municipal Code, entitled "Construction Noise Time Limits," as follows:

11.96.040 Construction Noise Time Limits

- (a) Purpose. The purpose of this section is to protect neighbors and the community from excessive noise caused by construction activities while not unduly restricting lawful construction, by establishing specific hours when construction noise is not allowed.
- (b) Time Limits. All noise-generating construction activities, as well as delivery and removal of materials and equipment associated with those construction activities, are limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday, and 10:00 a.m. to 5:00 p.m. on Sunday.
- (c) Notice of Construction Hours: Limits on construction hours shall be noted on the City Building Permit and approved building plans.

(d) Definition. Noise-generating construction activities means all activities associated with construction, alteration, remodeling, demolition or repair that generate persistent or repeated mechanical or percussive sounds that are clearly audible outside the boundaries of the property where the sound is generated.

(e) Exception. A permit to allow an exception to these time limitations may be issued by the Zoning Administrator or designee if it is found that the exception is warranted by unique and overriding circumstances, is in furtherance of the purpose of this section, and is of short duration. Each permit shall be for a limited term, and shall be conditioned to require renewal after that term. Before issuing a permit under this section the city shall post and mail notice of the proposed permit to neighbors within 300 feet of the construction site. Notice shall include a statement of the proposed construction time limits, duration of the exception and the process by which the permit may be appealed. The city manager or designee shall have the discretion to waive the notice requirement in the event he or she determines there is an imminent danger to health, safety or property.

(f) Appeals. Decisions of the Zoning Administrator to allow an exception pursuant to this section may be appealed to the Planning Commission by any person, in accord with Pacific Grove Municipal Code Chapter 23.74.

(g) Enforcement. A violation of this section shall be an infraction, and may be enforced pursuant to PGMC Chapters 1.16 or 1.19.

#### **SECTION 4. Implementation Actions.**

The City Manager and City Clerk are directed to execute all documents and to perform all other necessary City acts to implement this ordinance.

#### **SECTION 5. Effective Date.**

In accord with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

#### **SECTION 6. 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.

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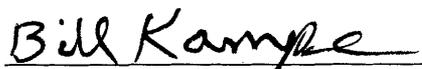
**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE**  
This 7<sup>th</sup> day of September 2016 by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Fischer, Huitt, Lucius, Miller and Peake.

NOES: None.

ABSENT: None.

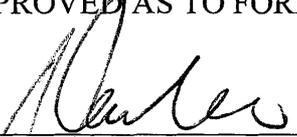
APPROVED:

  
BILL KAMPE, Mayor

ATTEST:

  
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

  
DAVID C. LAREDO, City Attorney