

ORDINANCE NO. 14-025

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE
TEMPORARILY AMENDING PACIFIC GROVE MUNICIPAL CODE
CHAPTER 16.40 STOPPING, STANDING AND PARKING
DURING THE FY 2014/15 HOLIDAY SEASON**

WHEREAS, parking time limits in Pacific Grove are established by ordinance and codified in Pacific Grove Municipal Code (PGMC) Chapter 16, "Traffic;" and,

WHEREAS, the business community believes the current 2hr. parking limits are too short, and the 2 hour period does not promote a "park-once" and shop downtown attitude amongst patrons. Customers who are ticketed while shopping or dining will be reluctant to visit downtown again; and

WHEREAS, the proposed changes shall apply only for a single holiday season, for the period on or about November 25, 2014 through January 17, 2015; and

WHEREAS, the proposed changes shall apply to all public parking spaces in the downtown currently limited to a two-hour period; and

WHEREAS, care shall be taken to minimize impacts on adjacent residential neighborhoods. In addition, the Business Improvement District is asked to work with its members to ensure employees of downtown businesses do not take the premium parking spots; and

WHEREAS, impacts of this measure shall then be analyzed, and a determination made of whether to continue in future years or not; and

WHEREAS, the City Traffic Engineer shall be authorized to place, erect, and maintain signs to reflect temporary parking modifications during the holidays.

WHEREAS, in the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.; and

WHEREAS, in the course of the review of the draft Ordinance, the amendments proposed by this ordinance do not result in any new or significant impacts to the environment because they are either more protective or procedural in nature; and

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. 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 3. For the period from November 25, 2014 to January 17, 2015 only, parking time limits set forth in Pacific Grove Municipal Code Chapter 16.40 may be amended by the City Traffic Engineer, who, with concurrence of the Chief of Police, may temporarily increase those parking time limits by and/or up to a factor of two. The effect of any temporary parking limit change shall apply only to the FY 2014/15 holiday season. Impacts shall be analyzed and reported to Council before any determination is made to apply this parking protocol for future years.

SECTION 4. The City Traffic Engineer is authorized to place, erect, and maintain signs to reflect these temporary parking modifications.

SECTION 5. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 6. In accord with Article 15 of the City Charter, this ordinance shall take immediate effect following passage and adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 3rd day of December, 2014, by the following vote:

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

NOES: None

ABSENT: None

APPROVED:

Bill Kampe, Mayor

ATTEST:

SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

David C. Laredo, City Attorney