

ORDINANCE NO. 15-018

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE CREATING
PACIFIC GROVE MUNICIPAL CODE SECTION 16.40.700
“DOWNTOWN PARKING LIMITS” AND AMENDING SECTION
16.40.010 “APPLICATION OF REGULATIONS”**

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 City of Pacific Grove undertook a Pilot Program to ascertain how extending the time limits from 2 hour to 3 hour would work in the downtown area; and study the effectiveness of parking time limits and other management practices; and

WHEREAS, the Community and Economic Development Department published a report entitled, the Downtown Parking Strategy; and,

WHEREAS, the Traffic Commission, the Economic Development Commission, the Business Improvement District, and the Planning Commission reviewed the Downtown Parking Strategy and made suggested modifications; and,

WHEREAS, the Downtown Parking Strategy proposed time limit changes to many of the nine hundred and eleven downtown public parking spaces; and

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 this ordinance qualifies for a CEQA Class 1 Exemption for existing facilities (CEQA Guidelines Section 15301) because this action involves negligible or no expansion of use and shall not result in any new or significant impacts to the environment.

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. Section “16.40.700, entitled “Downtown Parking Limits”, shall be added to the Pacific Grove Municipal Code as shown in *bold italics*:

16.40.700 Downtown Parking Limits

Parking within the vicinity of the Downtown Business Improvement District shall be governed exclusively by the provisions of this section, as follows:

1. *Two-hour parking limits (except Sundays and holidays) shall exist on Lighthouse Avenue and Forest Avenue; except however, 3-hour parking limits shall apply on Lighthouse Avenue in front of the Theater.*

2. *Three-hour parking shall exist on all other downtown streets and in Municipal Lot No. 2 (Fandango), Municipal Lot No.1 (Theater), and the 15th Street Lot (Credit Union).*

3. *Four parking spaces on the east side of Congress next to the Post Office shall be 90-minute spaces.*

4. *Parking in Municipal Lot No. 1 (Theater) shall have a minimum of three rows (38 spaces) of three-hour parking, which shall be adjacent to the theater, with the remaining spaces assigned to residents in the immediate area or limited to 24 hours.*

5. *Ninety-minute parking limits shall apply in Municipal Lot No. 3 (Grove Market) and the Forest Avenue Municipal Lot (Peppers).*

6. *The remainder of the downtown public parking spaces shall be reserved as follows: 20-minute parking (77 spaces), Loading Zone (24 spaces), Disabled Parking (23 spaces), Passenger Loading Zones (4 spaces) and 24-hour parking (85 spaces).*

7. *Minor modifications to the number and distribution of these spaces may be authorized by the Traffic Commission and the City Traffic Engineer as needed to meet the needs of parking patrons.*

SECTION 3. Pacific Grove Municipal Code Section“16.40.010, entitled “Application of regulations”, shall be amended as shown in *bold italics*, and as shown by strikeout text.

(a) The provisions of this ~~title~~ *chapter* prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

(b) *The provisions of section 16.40.700 “DOWNTOWN PARKING LIMITS” shall prevail over any contrary provision of this chapter.*

SECTION 4. 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 5. The City Traffic Engineer is authorized to place, erect, and maintain signs to reflect permanent parking modifications authorized by this ordinance.

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. In accord with Article 15 of the City Charter, this ordinance shall take effect January 4, 2016 following passage and adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 7 day of October, 2015, by the following vote:

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

NOES:

APPROVED:

Bill Kampe
BILL KAMPE, Mayor

ATTEST:

Sandra Kandell
SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

David E. Laredo
DAVID E. LAREDO, City Attorney

