

**ORDINANCE NO. 18-013**

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE  
AMENDING §16.08.030, §16.080.040 AND §23.70.060 OF THE PACIFIC GROVE  
MUNICIPAL CODE REGARDING THE TRAFFIC SAFETY COMMISSION AND  
ARCHITECTURAL REVIEW BOARD MEETING TIMES**

**FINDINGS**

1. The City Council of the City of Pacific Grove (City) regulates City Commissions, Boards, and Committees.
2. City Staff realized the inefficiency of having several boards closely scheduled together, delaying projects and the inflexible language in the Municipal Code.
3. The ordinance amends §16.080.030, §16.080.040, and §23.70.060 of the Municipal Code to modify the meeting time language for both the Traffic Safety Commission and the Architectural Review Board.
4. 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 the enactment of this ordinance does not constitute a “project” as defined in the California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

**IT IS HEREBY ORDAINED BY THE CITY 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 text set forth in existing Chapter §16.08.030 of the Pacific Grove Municipal Code entitled, “Traffic safety commission - Established” and 16.080.040 entitled, “Traffic safety commission – Duties” shall be amended by the addition of all text shown in bold, italic underscored text (bold, italic, underscored text), deletion by strikethrough, as follows:

16.08.030 Traffic ~~Safety~~ eCommission – Established.

(a) There is established a traffic safety commission to serve without compensation, and consisting of seven voting members who are not officers of the city, to be appointed and removed by the mayor with the approval of the city council. All appointees shall serve for a two-year term. Three of the members shall be appointed to terms ending on January 31st in odd-numbered years, and four for terms ending on January 31st in even-numbered years.

(b) The traffic safety commission shall meet ~~on the second Tuesday of~~ once each month and may adopt such rules as needed for the conduct of its deliberations, including the selection of the member who shall serve as chairperson and one other member who shall serve as secretary.

~~(c) The chief of police shall serve as secretary to the traffic safety commission.~~

~~(e c)~~ The eCity tTraffic eEngineer, the pPublic works dDirector and the pPolice eChief shall be ex officio members.

#### 16.08.040 Traffic Safety Commission – Duties.

It shall be the duty of the tTraffic sSafety eCommission:

~~(a) To suggest the most practicable means for coordinating the activities of all officers and agencies of this city having authority with respect to the administration or enforcement of traffic regulations;~~

~~(b) To stimulate and assist in the preparation and publication of traffic reports;~~

~~(e a)~~ To receive complaints having to do with traffic matters;

~~(d b)~~ To recommend to the legislative body of this City and to the City Traffic Engineer ways and means for improving traffic conditions and safety ~~the administration or enforcement of traffic regulations;~~

~~(e c)~~ To appoint a representative to the Transportation Agency of Monterey County (TAMC) bBicycle and pPedestrian eCommittee; and

~~(d d)~~ To review and make recommendations to the legislative body of this city regarding bicycle and pedestrian facilities within the city.

SECTION 3. The text set forth in existing Chapter §23.70.060 of the Pacific Grove Municipal Code entitled, “Architectural review board” shall be amended by the addition of all text shown in bold, italic underscored text (***bold, italic, underscored text***), deletion by ~~striketrough~~, as follows:

#### 23.70.060 Architectural review board.

(a) Purpose. This section establishes procedures for the city’s architectural review of structures, in order to promote the orderly and harmonious development of the city, and to protect its architectural character.

(b) Establishment. The architectural review board is hereby established as follows:

(1) Membership. The board shall consist of seven voting members, appointed by the mayor, with the approval of the council. At least two of the members shall have professional experience as an architect, landscape architect, engineer, designer, or draftsman; at least two members shall have experience in the building industry; one

member appointed from the general public shall demonstrate a special interest, competence, experience or knowledge in architecture or building material.

(2) Term of Office, Attendance. All appointees shall serve for a two-year term, and may be removed at the pleasure of the council. Three of the board members shall be appointed for terms ending on January 31st in odd-numbered years, and four for terms ending on January 31st in even-numbered years. A member's seat shall be deemed vacated upon two consecutive absences from regular meetings without being excused by the chair.

(3) Meetings. The board shall meet no less frequently than once per month ~~the fourth Tuesday of each month~~ and may adopt rules as needed for the conduct of its deliberations, including the selection of the member who shall serve as chair.

SECTION 4. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement effect this Ordinance.

SECTION 5. 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 6. In accordance with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

SECTION 7. PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS 7<sup>th</sup> day of November, 2018 by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Garfield, Fischer, Huitt, Peake, and Smith.

NOES: None.

ABSENT: None.

APPROVED:

  
BILL KAMPE, Mayor

ATTEST:



SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:



DAVID C. LAREDO, City Attorney