

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

ORDINANCE NO. 2022-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AMENDING SECTION 2.74.010(B) OF THE CARMEL-BY-THE-SEA MUNICIPAL CODE RELATED TO BOARD MEMBER QUALIFICATIONS FOR THE HISTORIC RESOURCES BOARD

WHEREAS, to expand the pool of qualified candidates for the Carmel-by-the-Sea Historic Resources Board, the City Council has determined it necessary to amend provisions of the municipal code regarding the qualifications for members, in order to fill vacancies that arise in a timely manner.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Amendment of Section 2.74.010(B) of Title 2, Chapter 2.74 of the Carmel-by-the-Sea Municipal Code is amended to read in its entirety as follows:

B. Board Member Qualifications.

1. Members of the Board shall have demonstrated interest in and knowledge of architectural history, architecture, archaeology, anthropology, paleontology, architecture, historic architecture, local history or fields related to historic preservation such as construction, planning, geography, landscape architecture, urban design, ethnography, fine arts, or real estate.
2. The Board shall be comprised of three professional members, consisting of one member each, from the following combined fields: (1) history, architectural history, or urban design, (2) architecture or historic architecture, and (3) archaeology, anthropology, or paleontology. The remaining two public members may represent any of the related historic preservation fields noted above, or demonstrates an interest in historic preservation
3. All members shall be residents and electors of the City, except in the event that no resident with the requisite expertise needed for a professional member can be found. In such case one up to two (2) professional member appointees may reside outside the City limits but within Monterey County, so long as the appointee meets all other requirements in sections 1 and 2, above. In any event, at least three (3) Board Members shall at all times be composed of resident-electors of the City and no more than 2 members may be residents of Monterey County.
4. ~~If professional members with the required expertise cannot be found, the City Council may substitute one or more additional public members with a demonstrated interest in historic preservation.~~

SECTION 2. Environmental Review. The City Council exercises its independent judgment and finds that the proposed ordinance is not subject to California Environmental Quality Act (CEQA), pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect

physical change in the environment), and section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the subject regulations have no potential for resulting in any significant physical change to the environment, either directly or indirectly.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

INTRODUCED, at a Regular City Council Meeting on November 1, 2022.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL BY-THE-SEA this ____ day of _____, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk