

Attachment H

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
AMENDING ORDINANCE NO. 499, THE STREETS AND HIGHWAYS PLAN OF
MONTEREY COUNTY**

County Counsel Summary

This ordinance amends Ordinance No. 499, which was adopted in 1941, to delete portions of the Official Plan Lines that were added in 1969 as Sections 3ww and 8ww by Ordinance No. 1693. The subject public road is Rio Road in Carmel Valley. In 2010, the Board of Supervisors adopted the 2010 Monterey County General Plan, which includes the Carmel Valley Master Plan. Policy CV-2.19 of the Carmel Valley Master Plan states: "The County shall initiate proceedings for an abandonment of the Official Plan Line for the Rio Road Extension." It is therefore appropriate to amend Ordinance 499 to delete the unacquired, unconstructed portion of said Sections 3ww and 8ww.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. FINDINGS AND PURPOSE.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey ("County") may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. Ordinance No. 499 was adopted in 1941 establishing the Streets and Highways Plan of Monterey County. It included a declaration that the ordinance would be amended from time to time.

C. In 1969, Ordinance No. 1693 amended Ordinance No. 499 of to add Section 3ww and Section 8ww. These additions established Official Plan Lines for an extension of Rio Road from Carmel Rancho Boulevard to Carmel Valley Road, but only small segments of this extension were acquired as public road right-of-way and constructed.

D. In 2010, the Board of Supervisors adopted the 2010 Monterey County General Plan, which includes the Carmel Valley Master Plan. Policy CV-2.19 of the Carmel Valley Master Plan states: "*The County shall initiate proceedings for an abandonment of the Official Plan Line for the Rio Road Extension.*"

E. It is therefore appropriate to amend Ordinance 499 to delete the unacquired, unconstructed portion of said Sections 3ww and 8ww.

SECTION 2. AMENDMENT OF ORDINANCE NO. 499.

A. Ordinance No. 499 is hereby amended to delete from Section 3ww, which section is a map entitled "Forty-ninth Unit of the Streets and Highways Plan, being a part of the Master Plan of the County of Monterey, State of California," the unacquired and unconstructed segments of that portion of Rio Road lying between Carmel Rancho Boulevard and Carmel Valley Road, being approximately that portion from Engineer's Station 6+77.8 to 39+72.02, as said Stations are shown on the map filed in the Office of the County Recorder in Volume 2 of Official Plan Lines, at Page 55.

B. Ordinance No. 499 is hereby amended to delete from Section 8ww, which section is a map consisting of three sheets, entitled, "Official Plan Lines of Rio Road Extension, which is a part of the Streets and Highways Plan of the Master Plan of the County of Monterey, State of California," the unacquired and unconstructed segments of that portion of Rio Road lying between Carmel Rancho Boulevard and Carmel Valley Road, being approximately that portion from Engineer's Station 6+77.8 to 39+72.02, as said Official Plan Lines and Stations are shown on the map filed in the Office of the County Recorder in Volume 2 of Official Plan Lines, at Page 55.

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective thirty days from the date of final passage and adoption.

PASSED AND ADOPTED this _____ day of _____ 2022,
by the following vote:

AYES:

NOES:

ABSENT:

Mary L. Adams, Chair,
Monterey County Board of Supervisors

ATTEST:
VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:


Kelly L. Donlon
Assistant County Counsel