

Attachment B

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ORDINANCE NO. ____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, TO RESCIND ORDINANCE NO. 1580 RELATING TO THE ESTABLISHMENT OF WEST LAUREL DRIVE AS A FREEWAY AND INDICATING CERTAIN ACCESS THERETO

County Counsel Summary

This Ordinance rescinds Ordinance No. 1580, which established West Laurel Drive as a Freeway and established access points for vehicular ingress and egress. Ordinance No. 1580 prohibits additional access points or relocating any existing access points unless said locations are approved by the Board of Supervisors. The purpose of Ordinance No. 1580 was to accommodate a potential future Highway 183 bypass, which was contemplated in the late-1960s. However, this potential bypass is no longer in any plan and Ordinance No. 1580 causes access issues for adjacent parcels by requiring approval of the Board of Supervisors to grant new access or modify existing access. This Ordinance rescinds Ordinance No. 1580 in its entirety.

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 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. On December 12, 1967, the Board of Supervisors approved Ordinance No. 1580, establishing West Laurel Drive (now Calle del Adobe) as a Freeway and indicating access points for vehicular ingress and egress as shown on map entitled "West Laurel Drive Freeway in accordance with section 941.1 of the Streets and Highways Code, State of California."

C. Ordinance No. 1580 also prohibits additional access points or moving any existing access points on West Laurel Drive (now Calle de Adobe) unless said locations are approved by the Board of Supervisors.

D. The purpose of Ordinance No. 1580 was to accommodate a potential future Highway 183 bypass, which was contemplated at that time. However, this potential bypass is no longer in any plan and is completely unnecessary. Also, Ordinance No. 1580 causes access issues for adjacent parcels by requiring approval of the Board of Supervisors to grant new access or modify existing access.

E. This Ordinance rescinds Ordinance No. 1580 to remove Freeway designation and the new access point restriction. The rescission of Ordinance No. 1580 will not affect existing access or utility easements along this street.

F. Adoption of the proposed ordinance involves a negligible change to existing streets. Such minor alterations to land qualify respectively as Class 5 categorical exemptions under California Environmental Quality Act (CEQA) Guidelines Sections 15305(c) – existing highways and streets.

SECTION 2. RESCISSION OF ORDINANCE 1580.

Ordinance No. 1580 is hereby rescinded in its entirety.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE.

This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this ___ day of _____ 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Luis Alejo, Chair
Monterey County Board of Supervisors

Attest:
VALERIE RALPH, Clerk
to the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

Kelly L. Donlon

Kelly L. Donlon
Assistant to County Counsel