

Attachment A

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ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
RELATING TO PARKING RESTRICTIONS ON STREETS AND HIGHWAYS.**

County Counsel Summary

This ordinance continues a prohibition on parking at any time on the east side of State Highway 1, from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County. A previously adopted ordinance established this parking restriction for a two year period. The proposed ordinance would continue the restriction uninterrupted with no termination date. The parking restriction will require approval by the State Department of Transportation to become operative.

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

SECTION 1. PURPOSE AND FINDINGS. 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. California Vehicle Code section 22506 authorizes the County of Monterey to enact regulations by ordinance to prohibit or restrict parking of vehicles on a state highway within the County's jurisdiction, if the ordinance is first submitted to and approved by the State Department of Transportation (Caltrans).

On January 29, 2019, the Board of Supervisors adopted Ordinance No. 5307 establishing no parking at any time on the east side of State Highway 1, from a point 1800 feet north of the Point Lobos State Park entrance to a point 1800 feet south of the Point Lobos State Park entrance, a distance of 3600 feet, effective for an initial two-year trial period. Per the terms of Ordinance No. 5307, the restriction did not become operative until approved by Caltrans, and the restriction automatically terminates two years from the operative date. Caltrans subsequently issued an order prohibiting parking on a state facility, dated March 28, 2019, consistent with Ordinance No. 5307 and contingent upon installation of the No Parking signage. Caltrans issued an encroachment permit dated April 8, 2019, to install no parking signs along said section of State Highway 1, and the installation was complete and approved on May 30, 2019, at which time the parking restriction became operative.

Ordinance No. 5307 added the following paragraph to Section 12.28.010 of the Monterey County Code:

State Highway 1, on the east side of State Highway 1, from the centerline of the Point Lobos State Park driveway entrance northerly for a distance of one thousand eight

hundred (1,800) feet, and from the centerline of the Point Lobos State Park driveway entrance southerly for a distance of one thousand eight hundred (1,800) feet.

The purpose of this ordinance is to make permanent and extend without interruption the parking prohibition established by Ordinance No. 5307. The County has received multiple requests from local residents advocating the continuance of said parking restrictions. Patrons of Point Lobos State Park often park along State Highway 1 and cross the highway to access the park, creating potentially unsafe conditions for drivers. This prohibited parking along State Highway 1 potentially stops unsafe pedestrian movement on the state highway at this location. Balancing these safety concerns with preservation of public access to Point Lobos State Park and recognizing pending planning efforts to address the volume of visitors to the state park, the Board desires to continue this parking prohibition, with no set termination date.

SECTION 2. The following paragraph of Section 12.28.010 of the Monterey County Code, previously enacted by Ordinance No. 5307 for a two year period, is hereby made permanent:

State Highway 1, on the east side of State Highway 1, from the centerline of the Point Lobos State Park driveway entrance northerly for a distance of one thousand eight hundred (1,800) feet, and from the centerline of the Point Lobos State Park driveway entrance southerly for a distance of one thousand eight hundred (1,800) feet.

SECTION 3. This ordinance shall become effective on the thirty-first day following its adoption. The parking restriction enacted by this ordinance will become operative upon approval by Caltrans and will be retroactive to May 30, 2021, so that the restriction enacted by Ordinance No. 5307 continues without interruption.

PASSED AND ADOPTED this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

Wendy Root Askew, Chair
Monterey County Board of Supervisors

A T T E S T:

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

/s/ Wendy S. Strimling

WENDY S. STRIMLING
Assistant County Counsel