



Legislation Details (With Board Report)

File #: ORD 23-013 **Name:** Rescind Ordinance No. 1580 to remove the Freeway designation for West Laurel Drive

Type: Ordinance **Status:** Housing & Community Development - Consent

File created: 8/15/2023 **In control:** Board of Supervisors

On agenda: 8/29/2023 **Final action:** 8/29/2023

Title: Introduce, waive first reading, and set September 12, 2023 at 10:30 a.m. as the date and time to consider adoption of an ordinance to rescind Ordinance No. 1580 to remove the Freeway designation for West Laurel Drive (now Calle Del Adobe), and to remove the restriction that the Board of Supervisors approve additional access points or the relocation of any existing access points.

Proposed California Environmental Quality Act (CEQA) Action: Find that the adoption of this ordinance is categorically exempt per Section 15301(c) of the CEQA Guidelines because the action involves negligible changes to the regulations that govern the existing highways and streets.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Ordinance No. 1580, 3. Attachment B - Draft Ordinance Rescinding Ordinance 1580, 4. Attachment C - Location Map, 5. Completed Board Order Item No. 43

Date	Ver.	Action By	Action	Result
8/29/2023	1	Board of Supervisors		

Introduce, waive first reading, and set September 12, 2023 at 10:30 a.m. as the date and time to consider adoption of an ordinance to rescind Ordinance No. 1580 to remove the Freeway designation for West Laurel Drive (now Calle Del Adobe), and to remove the restriction that the Board of Supervisors approve additional access points or the relocation of any existing access points.

Proposed California Environmental Quality Act (CEQA) Action: Find that the adoption of this ordinance is categorically exempt per Section 15301(c) of the CEQA Guidelines because the action involves negligible changes to the regulations that govern the existing highways and streets.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find that the adoption of this ordinance is categorically exempt per Section 15305(c) of the California Environmental Quality Act (CEQA) Guidelines because the action involves negligible changes to the regulations that govern the existing highways and streets; and
- b. Introduce, waive first reading, and set September 12, 2023 at 10:30 a.m. as the date and time to consider adoption of an ordinance to rescind Ordinance No. 1580 to remove the Freeway designation for West Laurel Drive (now Calle Del Adobe), and to remove the restriction that the Board of Supervisors approve additional access points or the relocation of any existing access points.

SUMMARY/DISCUSSION:

Ordinance No. 1580 was adopted by the Monterey County Board of Supervisors on December 12, 1967 to establish West Laurel Drive (now Calle del Adobe) as a Freeway and established certain access points for vehicular ingress and egress as shown on the map filed in the Office of the County Recorder in Volume 2 of

Official Plan Lines, at Page 29 entitled “West Laurel Drive Freeway in accordance with section 941.1 of the Streets and Highways Code, State of California” (Attachment A). This Ordinance also 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 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. Obtaining approval for new access or relocating existing access points is currently a lengthy process requiring the Planning Commission to review new permit applications to consider necessity or need for such change, conduct a public hearing, and submit a recommendation by resolution to the Board of Supervisors. The Board of Supervisors then considers the Planning Commission’s recommendation.

On November 12, 2015, the Zoning Administrator approved a Combined Development Permit for the Lexington Inn Hotel (PLN130269) which proposes an additional (second) driveway access point to meet fire department regulations for emergency access. The project was conditionally approved requiring the applicant to request approval of the second driveway access to the Board of Supervisors. Additionally, HCD-Engineering Services Unit was recently contacted by a property owner along Calle Del Adobe who is in process of submitting a building permit application to construct a new single family dwelling on an existing lot of record. Calle Del Adobe is the only available access point for this property. Both access points require approval of the new access by the Board of Supervisors prior to issuance of Encroachment Permits.

Rescinding Ordinance No. 1580 would allow HCD Engineering Services and Public Works Facilities and Parks (PWF&P) staff to review and issue permits for new or relocation existing access points in accordance with Title 14 of the Monterey County Code.

This draft ordinance (Attachment B) would rescind Ordinance No. 1580 thereby removing the Freeway designation and the restriction for issuing new access or relocating existing access points. Staff recommends this draft ordinance be approved since Ordinance No. 1580 is no longer necessary. This action will not affect existing access or utility easements along this street.

California Environmental Quality Act (CEQA)

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 CEQA Guidelines Sections 15305(c) - existing highways and streets.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel has approved this ordinance as to form.

FINANCING:

Staff costs to prepare this report are included in the FY2023-24 Adopted Budget for HCD Appropriation Unit HCD002, Unit 8543. The cost of processing the rescinding of Ordinance No. 1580 is funded with developer fees.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors’ Strategic Initiative for Economic Development and Infrastructure.

The proposed ordinance will promote orderly development and allow staff to issue new access or modify existing access.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Armando Fernandez, PE, Senior Civil Engineer
Approved by: Joshua Bowling, CCEO, HCD Chief of Building Services
Approved by: Craig Spencer, Interim HCD Director

The following attachments are on file with Clerk of the Board:
Attachment A - Ordinance No. 1580
Attachment B - Draft Ordinance Rescinding Ordinance No. 1580
Attachment C - Location Map