

RESOLUTION NO.: 06-0064

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO MAKE FINDINGS THAT THE STREET ABANDONMENT
IS CONSISTENT WITH THE GENERAL PLAN & BLACKBURN AREA STUDY
STREET ABANDONMENT 06-002
(BOYD)
APN: 009-132-010

WHEREAS, Street Abandonment 06-002 has been filed by McCarthy Engineering on behalf of John and Vaughn Boyd; and

WHEREAS, the request is to abandon a portion of the James Street right-of-way; and

WHEREAS, the right of way abandonment would be consistent with the Blackburn Area Study adopted by the City Council on March 2004; and

WHEREAS, the State of California Streets and Highways Code prescribes the conditions and findings by which a Municipality must contemplate street right of way abandonment; and

WHEREAS, the Streets and Highway Code requires that certain specific findings be made that the abandonment is consistent with the General Plan; and

WHEREAS, the Streets and Highway Code requires that certain specific findings be made related to the demonstration that there is a public advantage and finding of convenience and public welfare arising from the abandonment of the right of way; and

WHEREAS, public hearings were conducted by the Planning Commission on August 8, 2006, to consider facts as presented in the staff report prepared for this abandonment request, and to accept public testimony regarding the application; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received, the Planning Commission finds that:

1. There is sufficient documentation at this time to demonstrate that there is no longer a need to utilize this right of way for a full-width public street now and in the future, and
2. There is sufficient documentation at this time to demonstrate that there is no less of a public advantage which would arise from the right of way abandonment request, and
3. There is sufficient documentation to determine that the abandonment of the portion of the James Street right-of-way would be consistent with the General Plan, since the abandonment would be consistent with the Blackburn Area Study.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby find that the abandonment consistent with the General Plan and recommends that the City Council approve Street Abandonment 06-002.

PASSED AND ADOPTED THIS 8th day of August, 2006 by the following Roll Call Vote:

AYES: Johnson, Holstine, Hamon, Johnson, Flynn
NOES: None
ABSENT: Steinbeck, Withers
ABSTAIN: None

CHAIRMAN, JOHN HAMON

ATTEST:

RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

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