

RESOLUTION NO: PC 17-031

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING APPROVAL TO THE CITY COUNCIL
FOR STREET ABANDONMENT 17-001
(Stratus Lane)
APNs: 025-471-008, -009, -012 and -013**

WHEREAS, the applicant, the City of Paso Robles, has filed a Street Abandonment (SA) application for a summary vacation of the portion of Stratus Lane north of Dry Creek Road; and

WHEREAS, Stratus Lane is an unimproved right-of-way (paper road) and the adjoining properties are all owned by the City of Paso Robles; and

WHEREAS, the Stratus Lane right-of-way has not been made passable for vehicle travel; and

WHEREAS, pursuant to Streets and Highways Code 8334, the subject right-of-way may be considered for summary vacation; and

WHEREAS, Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"; and

WHEREAS, the Planning Commission finds consistent with the Land Use and Circulation Elements of the General Plan, that the Stratus Lane right-of-way north of Dry Creek Road is an excess right-of-way not required for existing or future street purposes; and

WHEREAS, the Stratus Lane right-of-way north of Dry Creek Road lies within property of one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, this application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on June 13, 2017, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this street abandonment request; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The proposed vacation of the Stratus Lane right-of-way shown on Exhibit "A" is consistent with the General Plan for the City of El Paso de Robles because the street is not identified for future circulation purposes; and

2. The subject right-of-way qualifies for a summary vacation because Stratus Lane is an unimproved right-of-way (paper road) has never been made passable for vehicle travel; and
3. The subject portion of street right-of-way described on Exhibit "A" be vacated for public purposes; and
4. The subject portion of street right-of-way described on Exhibit "A" shall retain a Public Utility Easement; and

Section 3- Environmental Determination: This application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Section 4 – Recommendation to City Council: the Planning Commission recommends approval of Street Abandonment 17-001 approval subject to the following exhibits and conditions:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Conditions
B	Street Abandonment Exhibit Map

PASSED AND ADOPTED THIS 13th Day of June 2017 by the following Roll Call Vote:

AYES: Commissioners Rollins, Agredano, Jorgensen, Brennan and Chairman Donaldson

NOES:

ABSENT: Commissioners Barth and Davis

ABSTAIN:

ATTEST:



 WARREN FRACE,
 PLANNING COMMISSION SECRETARY



 CHAIRMAN JOHN DONALDSON

Exhibit A

Conditions of Street Abandonment

1. The City Clerk of the City of El Paso de Robles shall cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.
2. The City Engineer shall prepare and record a parcel map extinguishing Stratus Lane and its frontage PUE and merging Lot 42 with Lot 47, and merging Lot 43 with Lot 46 so all remain lots have frontage on Dry Creek Rd.



