

RESOLUTION NO. _____ (2024 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA DECLARING THE INTENTION TO ABANDON PORTIONS OF SLACK STREET RIGHTS-OF-WAY (CAL POLY SAN LUIS OBISPO UNIVERSITY) STAB-0038-2024

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a Public Hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, on September 25, 2024, for the purpose of considering applications STAB-0038-2024 and ANNEX-0219-2024, including making a General Plan conformity determination per State law, for considering constraints and conditions for the proposed right-of-way abandonment, and for formulating a recommendation to the City Council on a request for abandonment of excess street rights-of-way on portions of Slack Street and for detachment to modify City limit lines; Cal Poly University, applicant; and

WHEREAS, research of the title report shows that the City of San Luis Obispo does not have fee ownership of land underlying the street rights-of-way on Slack Street; and

WHEREAS, the Planning Commission found that the proposed rights-of-way abandonment is consistent with the City's General Plan, and recommended that the City Council approve the abandonment, based on findings and subject to conditions as indicated in the Planning Commission Resolution, incorporated herein by reference as Exhibit A; and

WHEREAS, the City Council of the City of San Luis Obispo considered the Resolution of Intent in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, on October 15, 2024, pursuant to a proceeding instituted under application STAB-0038-2024, Cal Poly University, applicant as required by California Streets and Highways Code Section 8320; and

WHEREAS, notices of said City Council consideration were made at the time and in the manner required by law; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Luis Obispo as follows:

SECTION 1. Action-Intention to Abandon. It is the intention of the City of San Luis Obispo to consider abandonment of portions of Slack Street as shown on the map and legal description marked Attachment C, on file in the office of the City Clerk, pursuant to Section 8300 et seq. of the State of California Streets and Highways Code.

SECTION 2. Copies of the map and legal description showing the particulars of the proposed abandonment are on file in the office of the City Clerk, at 990 Palm Street, and included as attachments to the Council Agenda Report.

SECTION 3. Tuesday, November 12, 2024, at 5:30 p.m. in the Council Chamber of the City Hall, 990 Palm Street, San Luis Obispo, California is the time and place set for hearing all persons interested in or objecting to the proposed abandonment, which time is more than fifteen (15) days from the passage of this resolution.

SECTION 4. As required by the California Streets and Highways Code Section 8322, notice of the hearing on the proposed vacation shall be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the local agency conducting the proceeding.

SECTION 5. The City Engineer shall post at least three (3) public notices of the proposed abandonment in prominent locations near the portion of the street rights-of-way to be abandoned at least fourteen (14) days before the date set for the hearing in accordance with Section 8323 of the Streets and Highways Code.

SECTION 6. The City Engineer shall give written notice of the vacation proceedings to utility companies that have requested notice of the vacation proceeding under Section 8346 within ten (10) days after adoption of the Resolution of Intention in accordance with Section 8347 of the Streets and Highways Code.

Upon motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote:

- AYES:
- NOES:
- ABSENT:

The foregoing resolution was adopted this _____ day of _____ 2024.

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk