

## RESOLUTION NO. PC-1091-2024

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION OF INTENTION TO ABANDON A PORTION OF SLACK STREET AND RECOMMENDING CITY COUNCIL APPROVE THE DETACHMENT OF ABANDONED AREAS ON SLACK STREET AND PROPERTY ON HATHWAY FROM THE CITY OF SAN LUIS OBISPO (CAL POLY SAN LUIS OBISPO UNIVERSITY) ANNX-0219-2024, STAB-0038-2024**

**WHEREAS**, a duly noticed Public Hearing before the Planning Commission of the City of San Luis Obispo was held on September 25, 2024, in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, for the purpose of considering applications ANNX-0219-2024 and STAB-0038-2024, a request to abandon a portion of Slack Street and a proposed detachment of a portion of Slack Street and a property on Hathway; and

**WHEREAS**, said public hearing was for the purpose of reviewing the proposed abandonment of street right-of-way for conformity with the City's General Plan per State law, for considering constraints or conditions for the proposed right-of-way abandonment per City policy, and forwarding the abandonment and detachment recommendations to the City Council of the City of San Luis Obispo; and

**WHEREAS**, notices of said public hearing were made at the time and in the manner required by law; and

**WHEREAS**, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

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

**Section 1. Findings.** Based upon all the evidence, the Commission makes the following findings in support of the intention to abandon of a portion of Slack Street as a recommendation to City Council, and recommends the City Council initiate the process of detachment of a portion of Slack Street and property on Hathway from the City of San Luis Obispo by authorizing staff to make application for detachment to the San Luis Obispo Local Agency Formation Commission (LAFCO).

1. The proposed right-of-way abandonment, with the reservation of appropriate utility and access easements, is consistent with the General Plan because it is no longer needed for present or future public purposes since this portion of the road will be improved to City standards with the Vista Meadows housing project.
2. The right-of-way abandonment will benefit the general public by allowing private management of the driveway entries, allowing pedestrian and vehicular

circulation improvements, allowing for private maintenance of proposed and existing private drainage facilities, landscape areas, and sidewalks, eliminating unused right-of-way, and eliminating the City's costs for maintaining infrastructure within the right-of-way that is being abandoned.

3. The proposed abandonment and detachment are consistent with the General Plan, including Land Use Element Policies 1.12.2, 2.6.1, and 2.6.5, and Housing Element Policies 8.3 and 8.6 related to campus housing for Cal Poly, and Circulation Element Policies 5.1.3, 8.1.3, and 9.1.1 which require that new developments provide sidewalks, assume fair share of responsibility for constructing circulation improvements, and reduce or maintain vehicular speeds in residential neighborhoods.
4. The detachment of areas on Slack Street and APN 052-082-028 on Hathway will create appropriate jurisdictional boundaries for properties at Cal Poly, including correction of historical boundary inconsistencies, and will prevent properties from having dual jurisdiction upon abandonment of right-of-way.
5. The proposed right-of-way abandonment and detachments are consistent with the Final Environmental Impact Report for the Cal Poly 2035 Master Plan (State Clearinghouse No. 2016101003) certified in May 2020 by the California State University (CSU) Board of Trustees San Luis Obispo, and the EIR Addendum #1 approved by the California State University on February 14, 2024 for the Slack and Grand faculty/staff housing project.

**Section 2. Recommendation.** The Planning Commission does hereby recommend the City Council adopt a resolution of intention to abandon a portion of Slack Street and recommends the City Council approve the filing of an application for detachment of a portion of Slack Street and property on Hathway with the San Luis Obispo Local Agency Formation Commission (LAFCO), subject to the following conditions.

1. The new monuments set to describe the boundaries of Slack Street and the adjoining property corners for all affected parcels shall be documented by a Record of Survey.
2. Public and private utility companies shall receive notice of intention to vacate prior to the City Council hearing. If the Council determines that the right-of way should be abandoned, reservation of easements for existing public utilities, including water and sewer, shall be required, to the satisfaction of the respective utility companies, along with any revisions to those facilities as a result of development of the Vista Meadows project on Slack Street. Specific details will be determined during the abandonment process, prior to adoption of a final abandonment resolution by the City Council.

3. If the Council approves the right-of-way abandonment, any required easements for purposes of access and drainage shall be recorded concurrent with or prior to recordation of a City Council resolution vacating previous offers of dedication.
4. All required pictorial exhibits and/or legal descriptions necessary to complete the abandonment process shall be provided by the project applicant to the satisfaction of the Public Works Director. All exhibits and/or legal descriptions shall be prepared by a Licensed Land Surveyor or Civil Engineer who is authorized to practice Land Surveying, in accordance with the California Business and Professions Code Section 8700 et seq.
5. The abandonment resolution of the City Council shall include reservation of an easement for pedestrian access on the northern sidewalk on Slack Street frontage (both east and west of Grand Avenue), or a separate pedestrian access easement shall be recorded prior to abandonment, to the satisfaction of the City Engineer and the City Attorney for preservation of public pedestrian access along the sidewalk.
6. A revision to encroachment permit ENCR-0470-2024 shall be submitted by the applicant to include two (2) speed humps on Slack Street for traffic calming. The design of the speed humps shall be to the satisfaction of the Public Works Director. Speed humps shall be installed prior to permit final.
7. The applicant shall submit payment for encroachment permit ENCR-0470-2024, in accordance with the City's 2023-24 Comprehensive User Fee schedule, to reimburse the City for staff time associated with plan check and construction inspection for public improvements on Slack Street.
8. Cal Poly has committed to supporting a future land value offset for City acquisition of land for utilities (water reservoir) at Cal Poly as a land exchange for the abandonment of 1.72 ± acres right of way on Slack Street.
9. Informational note: the abandonment does not constitute creation of a separate lot or a potential future subdivision.

On motion by Commissioner Jorgensen, seconded by Vice Chair Houghton, and on the following roll call vote to wit:

AYES: Commissioner Jorgensen, Commissioner Flores, Vice Chair Houghton,  
and Chair Cooley  
NOES: None  
REFRAIN: None  
ABSENT: Commissioners Kahn, Munoz-Morris, and Tolle

The foregoing resolution was passed and adopted this 25<sup>th</sup> day of September 2024.



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Tyler Corey, Secretary  
Planning Commission