

RESOLUTION NO. _____ (2025 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, ABANDONING A 6-FOOT-WIDE PORTION OF CHURCH STREET PUBLIC RIGHT-OF-WAY ADJACENT TO 1804 OSOS STREET.

WHEREAS, Church Street is a 60-foot-wide public Right-of-Way between Osos Street and its northerly terminus; and

WHEREAS, at a regular meeting of the Planning Commission of the City of San Luis Obispo conducted on February 25, 2009, the Planning Commission adopted Resolution 5518-09 recommending abandonment of a 6-foot-wide portion of the Church Street right-of-way and finding that the proposed abandonment is consistent with the General Plan; and

WHEREAS, at a regular meeting of the City Council of the City of San Luis Obispo conducted on April 21, 2009, the City Council adopted Resolution 10074 (2009 Series) indicating the City's intent to abandon a 6-foot-wide portion of the Church Street right-of-way; and

WHEREAS, the public hearing for the City Council to finalize the abandonment of the 6-foot-wide portion of the Church Street right-of-way was agendized for June 2, 2009; and

WHEREAS, the June 2, 2009 public hearing for the City Council to finalize the abandonment of the 6-foot-wide portion of the Church Street right-of-way was postponed; and

WHEREAS, a public hearing was scheduled for the City Council to finalize the abandonment of the 6-foot-wide portion of Church Street right-of-way was agendized for January 20, 2015; and

WHEREAS, the January 20, 2015 public hearing for the City Council to finalize the abandonment of the 6-foot-wide portion of the Church Street right-of-way was postponed; and

WHEREAS, the proposed abandonment of the 6-foot-wide portion of the Church Street right-of-way must be finalized in order to complete the conditions of approval for the approved development project at 1804 and 1814 Osos Street and finalize a real property exchange agreement between the City and the developer of 1000 Railroad Avenue; and

WHEREAS, City staff have confirmed that prior action by the Planning Commission and City Council associated with the abandonment of this 6-foot-wide portion of the Church Street right-of-way remain valid, and the abandonment process may be

continued at this time per the requirements of the California Streets and Highways Code; and

WHEREAS, City staff have confirmed that no City utility facilities currently exist within the 6-foot-wide portion of the Church Street right-of-way; and

WHEREAS, City staff notified all public utility companies of the proposed abandonment and no utility company has facilities that would be affected by the proposed abandonment; and

WHEREAS, an existing public sidewalk will temporarily remain within the area of the proposed abandonment until such time as it is relocated by the developer of Parcel Map SLO 07-0094 at 1804 Osos Street; and

WHEREAS, all public notices have been provided as required by applicable law, including California Streets & Highways Code §8320 *et seq.*

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

SECTION 1. Findings. Based upon all evidence, the City Council makes the following findings:

1. The recitals stated above are found to be true and incorporated herein as findings of the City Council.
2. The proposed right-of-way abandonment is in conformity with the City's General Plan and any applicable Specific Plans or Zoning Regulations. The proposed abandonment does not conflict with long-term land use, circulation, or infrastructure plans, and the street is not identified as a key access route or planned improvement area.
3. The proposed right-of-way abandonment is not presently or prospectively required for public use or vehicular or pedestrian access. Based on a review of the City's traffic circulation plans, public infrastructure needs, and adjacent property access, it has been determined that the right-of-way serves no essential function in the City's transportation network.
4. The proposed right-of-way abandonment will not negatively impact public interest or safety, including emergency vehicle access, utilities, or other critical public services.
5. Utility companies with easement rights in the area have been provided notice of the proposed abandonment and have confirmed that the abandonment will not impact any existing utility infrastructure.

- 6. The abandonment of the 6-foot-wide portion of the Church Street right-of-way is made pursuant to Sections 8320 et seq. of the California Streets and Highways Code.

SECTION 2. Environmental Determination. The proposed vacation of the 6-foot-wide portion of the Church Street right-of-way is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Class 1 (Existing Facilities) exemption (§15301), as it involves a minor right-of-way abandonment with no significant impact on land use or the environment. The abandonment will not affect public access, or circulation. The abandonment is consistent with the General Plan.

SECTION 3. Action. The City Council adopts a Resolution of Abandonment of a 6-foot-wide portion of the Church Street public right of way adjacent to 1804 Osos Street, as more accurately described in Exhibit A and depicted in Exhibit B, attached hereto, pursuant to Chapter 4, Part 3 of Division 9 of the California Streets and Highways Code subject to the following conditions:

- 1. A temporary public pedestrian easement for the existing public sidewalk within the area of Church Street to be abandoned shall be dedicated by the adjacent property owners. Said offer of dedication shall record concurrently with this resolution. The Mayor is authorized to accept this offer of dedication.
- 2. 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.
- 3. The abandonment results in additional property to be deeded back to adjacent contiguous properties but does not constitute creation of a new parcel or lot.

SECTION 4. Recordation. The city clerk shall cause a certified copy of this Resolution to be recorded with the Office of the County Clerk-Recorder upon completion of the above-stated conditions to the satisfaction of the Public Works Director.

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

AYES:
 NOES:
 ABSENT:

The foregoing resolution was adopted this ___th day of MONTH 2025.

R _____

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