



Staff Report

File #: TMP-1366, **Version:** 1

MEETING DATE:

May 26, 2020

SUBJECT:

RESOLUTION NO. 2020-8760 - NOTICE OF INTENTION TO VACATE PUBLIC RIGHT-OF-WAY FOR PORTIONS OF ECHO LANE AND FORMER DISCOVERY STREET

Recommendation

ADOPT and APPROVE the following, in the order set forth below:

1. ADOPT Categorical Exemption EX20-062 per CEQA Section 15305, Class 5 (Minor Alterations in Land Use Limitations);
2. APPROVE Resolution No. 2020-xxxx: Notice of Intention to Vacate Public Street Right-Of-Way for Portions of Echo Lane and Former Discovery Street Located Within Previously Approved Tentative Subdivision Map TSM 16-001 and Setting a Public Hearing Date of June 23, 2020

Board or Commission Action

On May 4, 2020, at a meeting continued from April 20, 2020, Planning Commission adopted Resolution PC20-4867 adopting Categorical Exemption EX20-062 and finding that the proposed vacations are in conformity with the adopted General Plan.

Relevant Council Strategic Theme

Planning for the Future

Good Governance

Relevant Department Goal

N/A

Executive Summary

Tentative Subdivision Map (TSM) 16-001 is located west of S. Twin Oaks Valley Road, east of Craven Road, and north of the future alignment of Discovery Street (Attachment A). The TSM proposes the subdivision of ten existing parcels totaling 87.46 acres to create 12 new lots for future development, including office/commercial, residential, a potential school site, stormwater basins, and common and open space uses. TSM 16-001 also proposes the vacation of excess street right-of-way as depicted in Attachment B. TSM 16-001 was recommended by Planning Commission for approval on February 5, 2018 and approved by City Council on March 13, 2018 as City Council Resolution 2018-8467.

The attached proposed Resolution No. 20-XXXX declares City Council's intent to vacate the portion of Echo Lane and the portion of former Discovery Street shown to be vacated on approved TSM 16-001, and setting a

public hearing date of June 23, 2020 for the matter.

Discussion

The proposed street vacations along portions of Echo Lane and former Discovery Street are depicted on TSM 16-001. The rights-of-way were established in 1895 on Map 806 for Rancho Los Vallecitos de San Marcos, via documents recorded in 1968 and 1970, and via Parcel Map 16595 recorded in 1991. These rights-of-way are inconsistent with the current General Plan and with the ultimate realignment of Discovery Street, and they have been determined by staff to be excess right-of-way. Portions of Echo Lane and Myrtle Avenue within adjacent TSM 16-003 were summarily vacated with the recordation of Document 2020-0078174 on February 14, 2020.

In accordance with California Streets and Highways Code (CSHC) Section 8313 and Government Code Section 65402, the local planning agency is required to consider the proposed vacation action and to report on the conformity with the adopted general plan. Staff reviewed the limits of the proposed right-of-way vacation, the road and utility infrastructure as existing and as proposed per Tentative Subdivision Map 16-001, and the General Plan. Staff concluded that a public road is not needed along the portion of Echo Lane to be vacated. Likewise, a public road is not needed along the portion of former Discovery Street to be vacated. On May 4, 2020, Planning Commission considered the consistency of the proposed vacation with the General Plan, and it approved Resolution PC-4867 recommending that City Council consider the vacation and abandonment of portions of Echo Lane and former Discovery Street as shown on TSM 16-001.

Following City Council's consideration of the Resolution of Intention to Vacate, staff will complete proper noticing and determine the required reservation of rights for utilities. Council may then consider the vacations at a duly-noticed public hearing to occur on June 23, 2020, in accordance with CSHC 8320, and if desired, approve a resolution to vacate and abandon the right-of-way. City Council may authorize the City Manager to dispose of the vacated and abandoned portions following recordation of a Resolution of Vacation.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), the proposed summary vacation is deemed Categorical Exempt (EX20-062) pursuant to Section 15305 Class 5 (Minor Alterations in Land Use Limitations), in that this is a minor realignment of right-of-way.

Fiscal Impact

There is no fiscal impact associated with the adoption of this resolution.

Attachment(s)

Attachment "A" Vicinity Map

Attachment "B" Aerial Exhibit

City Council Resolution 2020-XXXX

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Reviewed by: Dahvia Lynch, Director of Development Services

Approved by: Jack Griffin, City Manager