

Attachment E

Before the Planning Commission in and for the County of Monterey, State of California

RESOLUTION NO. 24-019

Resolution and report to the Board of Supervisors by the Monterey County Planning Commission:

1. Finding that the proposed abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6 involves existing highways and streets, and minor alterations to land which qualify respectively as Class 1 and Class 4 categorical exemptions under the California Environmental Quality Act (CEQA) Guidelines Sections 15301(c) – existing highways and streets; and 15304 – minor public alterations in the condition of the land, and there are no exceptions under Section 15300.2; and
2. Reporting to the Board of Supervisors that the proposed abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, is in conformity with the policies contained within the Monterey County General Plan and the South County Area Plan, a part of the 2010 General Plan subject to a reservation of rights by the County pursuant to California Streets & Highways Code (SHC) Section 8340 which authorizes the County to reserve and except from this vacation an easement for public utilities with the rights necessary to maintain, operate, replace, remove, or renew any and all public utility facilities within the vacated portion of the road.

Project Location: Community of Bradley, South County Area Plan

Proposed California Environmental Quality Act (CEQA) Action: Categorically Exempt per Sections 15301; and 15304 of the CEQA Guidelines.

The request for a report of General Plan conformity concerning the vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6 came on for public hearing before the Monterey County Planning Commission on June 12, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides and recommends that the Board of Supervisors find and decide as follows based on the findings and evidence set forth below:

FINDINGS

1. **FINDING:** **CONFORMITY** – The road abandonment or vacation is in conformity with the applicable policies contained within the Monterey County General Plan and the South County Area Plan, a part of the 2010 General Plan.

EVIDENCE: During the course of review of this request, the project has been reviewed by the Monterey County Housing and Community Development Department for conformity with the text, policies, and regulations in the:

 - 2010 Monterey County General Plan; and the
 - South County Area Plan;

No conflicts were found to exist. No communications were received during the course of review of the petition indicating any inconsistencies with the text, policies, and regulations in these documents.

Housing and Community Development – Planning Services ((HCD-Planning Services) Memorandum to Department of Public Works, Facilities, and Parks (PWFP) dated March 24, 2024, regarding “General Plan Consistency Determination for road vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6,” with Vicinity Map on file with HCD-Planning Services and PWFP and incorporated by this reference.

The Road Commissioner’s request is a request for the County to abandon or vacate the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, in the Community of Bradley.
2. **FINDING:** **California Environmental Quality Act (CEQA) (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE: California Environmental Quality Act (CEQA) Guidelines Section 15301(c) categorically exempts existing highways and streets; Section 15304 categorically exempts minor public alterations in the condition of the land; and there are no exceptions pursuant to Section 15300.2.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby resolve to:

1. Find that the proposed abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, involves existing highways and streets, and minor alterations to land which qualify respectively as Class 1 and Class 4 categorical exemptions under the CEQA Guidelines Sections 15301(c) – existing highways and streets; and 15304 – minor public alterations in the condition of the land, and there are no exceptions under Section 15300.2; and
2. Report to the Board of Supervisors that the abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, is in conformity with the policies contained within the Monterey County General Plan and the South County Area Plan, a part of the General Plan subject to a reservation of rights by the County pursuant to California Streets & Highways Code (SHC) Section 8340 which authorizes the County to reserve and except from this vacation an easement for public utilities with the rights necessary to maintain, operate, replace, remove, or renew any and all public utility facilities within the vacated portion of the road.

PASSED AND ADOPTED this 12th day of June, 2024 upon motion of Commissioner Gomez, seconded by Commissioner Daniels, by the following vote:

AYES: Shaw, Getzelman, Gomez, Gonzalez, Work, Mendoza, Diehl, Roberts, Monsalve, Daniels

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:
Melanie Beretti
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Melanie Beretti, AICP, Planning Commission Secretary

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.