

Attachment F

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ATTACHMENT F

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

In the matter of the request to:

VACATE CLARK COLONY ROADS

RESOLUTION NO. 18-043

Resolution by the Monterey County Planning
Commission:

1. Finding the abandonment of roads 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. Reporting to the Board of Supervisors that the vacation of Clark Colony roads, namely all of Fir Avenue, Pear Avenue, Pesch Avenue (portions also known as Peach Avenue), Canal Street, Fifteenth Street, Sixteenth Street, an unnamed road along the most northerly boundary of Lot 356 and portions of Cedar Avenue, Pine Avenue and Oak Avenue, being roads dedicated to and accepted by the County of Monterey as shown on the “Map of the Clark Colony,” filed July 19, 1905 in Volume 1 of Cities and Towns, at Page 64 (as said roads and portions thereof are more particularly described in **Exhibit A**, attached hereto and incorporated as a part hereof) is in conformity with the policies contained within the Monterey County General Plan and the Central Salinas Valley Area Plan, a part of the General Plan.

[Clark Colony Roads, Greenfield Area]

The request for a report of General Plan conformity concerning the vacation of Clark Colony Roads came on for public hearing before the Monterey County Planning Commission on November 14, 2018. 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 as follows:

FINDINGS

1. **FINDING:** **CONFORMITY** – The requested road vacation is in conformity with the applicable policies plans contained within the Monterey County General Plan and the Central Salinas Valley Area Plan, a part of the General Plan.

EVIDENCE: During the course of review of this application, the project has been reviewed by RMA Land Use - Planning for conformity with the text, policies, and regulations in:

- 2010 Monterey County General Plan;
- Central Salinas Valley Area Plan;

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

The request is to vacate certain Clark Colony roads, namely all of Fir Avenue, Pear Avenue, Pesch Avenue (portions also known as Peach Avenue), Canal Street, Fifteenth Street, Sixteenth Street, an unnamed road along the most northerly boundary of Lot 356 and portions of Cedar Avenue, Pine Avenue and Oak Avenue, being roads dedicated to and accepted by the County of Monterey as shown on the “Map of the Clark Colony,” filed July 19, 1905 in Volume 1 of Cities and Towns, at Page 64 (as said roads and portions thereof are more particularly described in **Exhibit A**, attached hereto and incorporated as a part hereof).

2. **FINDING:** **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 the abandonment of roads 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 vacation of Clark Colony roads, namely all of Fir Avenue, Pear Avenue, Pesch Avenue (portions also known as Peach Avenue), Canal Street, Fifteenth Street, Sixteenth Street, an unnamed road

along the most northerly boundary of Lot 356 and portions of Cedar Avenue, Pine Avenue and Oak Avenue, being roads dedicated to and accepted by the County of Monterey as shown on the "Map of the Clark Colony," filed July 19, 1905 in Volume 1 of Cities and Towns, at Page 64 (as said roads and portions thereof are more particularly described in **Exhibit A**, attached hereto and incorporated as a part hereof) is in conformity with the policies contained within the Monterey County General Plan and the Central Salinas Valley Area Plan, a part of the General Plan. Said report shall indicate how the vacation action is in conformity to specific General Plan policies.

3. Recommend that the Board of Supervisors consider any impacts to the access rights of property owners in the vicinity of the roads that are proposed to be vacated to ensure that the road vacation does not landlock any property.

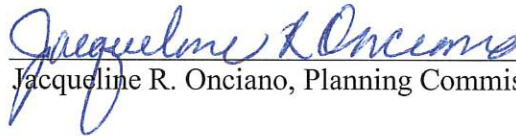
PASSED AND ADOPTED this 14th day of November, 2018 upon motion of Commissioner Duflock, seconded by Commissioner Mendoza, by the following vote:

AYES: Coffelt, Duflock, Diehl, Getzelman, Gonzalez, Mendoza, Roberts, Vandever, Wizard

NOES: None

ABSENT: Ambriz

ABSTAIN: None



Jacqueline R. Onciano, 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.

EXHIBIT A

Situate in Rancho Arroyo Seco, Monterey County, California, and being portions of that certain "Map of Clark Colony" filed for record July 19, 1905 in Volume 1 of Cities and Towns, at Page 64, Records of Monterey County, and said portions being more particularly described as follows:

SECTION 1

That portion of Pine Avenue lying within the limits of Lots 279, 280, 281 and 282 of said filed map;

That portion of Canal Street lying within the limits of Lots 280, 354 and that portion within the limits of Lot 356 lying northwesterly of the southeasterly line of Pine Avenue as shown on said filed map;

That portion of Pesch Avenue (commonly known as Peach Avenue) lying within the limits of Lots 280, 281, 337, 338, 339, 340 and 341 of said filed map, together with all that certain strip of land 40 feet wide granted for the purpose of a public highway by deed from Cecil O. Page to the County of Monterey dated March 22, 1921 and recorded May 5, 1921 in Volume 182 of Deeds, at Page 158, Records of Monterey County.

SECTION 2

All of Fir Avenue;

All of Pear Avenue;

That portion of Pesch Avenue lying within the limits of Lots 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, and 354 of said filed map. This portion of Pesch Avenue together with the portion described in Section 1 above describes all of Pesch Avenue (some portions commonly known as Peach Avenue) shown on the aforesaid filed map;

That portion of Canal Street lying within Lots 64, 65, 66, 67, 187, 277, 278, 279, 356 lying southeasterly of the southeasterly line of Pine Avenue, 357, 358, 359, 360, 361, 362, 363, 364 and 365 of said filed map, excepting therefrom any portion thereof lying within the limits of Oak Avenue and Elm Avenue (being a road later conveyed to the County of Monterey). This portion of Canal Street together with the portion described in Section 1 above describes all of Canal Street shown on the aforesaid filed map;

All of Cedar Avenue, excepting therefrom:

- 1) That certain portion previously vacated or abandoned by the County of Monterey by Resolution of the Board of Supervisors of the County of Monterey, dated January 21, 1963 and recorded in Reel 137 of Official Records, at Page 457, Records of Monterey County;
- 2) That certain parcel of land conveyed by Wiley Farms, Inc., et al, to the County of Monterey by deed dated April 23, 1932 and recorded May 16, 1962 in Reel 54 of Official Records, at Page 497, Records of Monterey County;
- 3) That portion thereof lying within the limits of Almond Avenue shown on the aforesaid filed map (now being a part of Thorne Road);

All of Fifteenth Street;

All of Sixteenth Street;

All of the unnamed road being a strip of land 0.50 chains (33 feet) wide lying southeasterly of and contiguous to the northwesterly boundary of Lot 356 of said filed map;

All that portion of Oak Avenue lying southwesterly of the southwesterly line of Fifteenth Street, excepting therefrom that certain portion previously vacated or abandoned by the County of Monterey by Resolution No. 68-67 of the Board of Supervisors of the County of Monterey, dated March 5, 1968 and recorded in Reel 548 of Official Records, at Page 36, Records of Monterey County.

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