



City Council Agenda Item

City Council Meeting Date: January 18, 2022

TO: Dean Albro, City Manager

FROM: Craig Dierling, P.E., Assistant Public Works Director/City Engineer
c_dierling@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6467(22); Non-Summary Vacation of Public Access Right-of-Way Alleys at Arbor Square Apartments, Between Pine Avenue and Oak Avenue, and Between G Street and F Street

Recommendation:

Staff recommends the City Council:

- 1) Open the public hearing and receive public testimony, and
- 2) Adopt Resolution No. 6467(22), vacating the Right-of-Way (ROW) for public access, but maintaining the easement for public utilities (Attachment 1); or
- 3) Provide alternate direction to staff.

Background/Discussion:

On January 10, 2020, the Arbor Square Apartments property owner, LIH Arbor Square, LP, a California limited partnership, requested the City vacate the public access easement "T" shaped alleys that bisect the Arbor Square Apartments as shown on Exhibit "A" (Attachment 2). The Owner proposed to install gates restricting general public access, but allowing access for residents, emergency services, and public utilities. The alleys would continue to serve as public utility easements and no change is proposed to the existing public utilities. The alleys are located between Pine Avenue and Oak Avenue, and between G Street and F Street.

California Streets and Highways Code Section 8320 et seq. establishes the procedure for local agencies to vacate a public street, highway, or public service easement. Staff followed that procedure for the vacation of the subject alleys.

On October 13, 2021, the Planning Commission adopted Resolution No. 957(21), reporting that: 1) the proposed non-summary vacation of right-of-way (easement) for public access is in conformance with the City's 2030 General Plan pursuant to

Government Code subdivision 65402(a); and 2) the proposed non-summary vacation is exempt from CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Fiscal Impact:

The property owner is responsible for payment of all costs to process the proposed non-summary vacation of the public access easement, and is responsible for all costs for providing access to City emergency services and City utilities following the easement vacation. Vacating the public access easement will end the City's responsibility to maintain the alley pavement. The proposed easement vacation should therefore result in no additional costs to the City, and some amount of savings to the City due to reduced pavement maintenance.

Conclusion:

Adopting Resolution No 6467(22) is necessary to vacate public access to the alleys noted herein and retain the easement for public utilities.

Respectfully submitted,

Craig Dierling, P.E., Assistant Public Works Director/City Engineer

APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Michael W. Luther, P.E., Public Works Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Dean Albro, City Manager

Attachments: 1) Resolution No. 6467(22)
2) Exhibit "A" Map