

MONTEREY COUNTY PLANNING COMMISSION

Meeting: May 13, 2009 Time: 9:00 AM	Agenda Item No.: 3
Project Description: Adopt a Resolution to report to the Board of Supervisors that the abandonment of the public right-of-way for Railroad Avenue (as described in Exhibit C & D of the legal description in Attachment 2) is consistent with the North Monterey County Area Plan, a part of the Monterey County General Plan.	
Project Location: Railroad Avenue, between Waters Lane and Allison Street, Pajaro, North County	APN: County Right of Way
Planning File Number: PD090397	Owner: Monterey County Agent: Department of Public Works
Planning Area: North County Area Plan	Flagged and staked: No
Zoning Designation: "F/40" (Farmlands 40 acres per unit)	
CEQA Action: Categorically Exempt per Section 15305, and exempt under 15061 (b) (3).	
Department: RMA – Department of Public Works	

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (Attachment 1) to report to the Board of Supervisors that the abandonment of the retired public right-of-way for Railroad Avenue (as described in Exhibit C & D of the legal description Attachment 2) is consistent with the North Monterey County Area Plan, a part of the Monterey County General Plan, subject to reservation of easements for existing utilities.

PROJECT OVERVIEW:

The portions of road to be abandoned were previously used as the County road right-of-way. Subsequently the County reconfigured the road to eliminate the sharp angle of the original right-of-way by the creation of an elongated S-curve. The proposal that will be presented to the Board of Supervisors is to abandon that portion of the right-of-way identified in the legal description (Attachment 2) to the Pajaro Sunny Mesa Water District for incorporating it into the adjacent parcel 117-263-002-000 currently under their ownership.

The County has considered the Sectional District Maps and each designated zoning to determine if the lands within the County right-of-way to be abandoned would remain consistent with the designated uses for the respective zonings. The subject property as described in Exhibit C and D of the legal description of Attachment 2 is compatible with the current uses maintained on the contiguous property owned by the Pajaro Sunny Mesa Water District. It is also determined that the property located in Attachment 3 upon incorporation with the current permitted land uses maintained by the Water District will not conflict with Monterey County General Plan Land Use Designation or the North County Area Plan.

The Department of Public Works has reviewed this abandonment and determined that it is categorically exempt under CEQA Guidelines (15305 – minor alterations in land use limitations; and 15061 (b) (3)). Upon abandonment of the above portions of Railroad Avenue, the Department will prepare and file the appropriate Notice of Exemption with the County Clerk.

OTHER AGENCY INVOLVEMENT:

The proposed abandonment was reviewed by AT&T, Pacific Gas & Electric Company, the Monterey County Assessor's Office, Planning and Building Inspection Department, Parks Department, Sheriff, Office of Emergency Services, Environmental Health and the Water Resources Agency. No alternative recommendation or opposition to the abandonment has been received.

Chad Alinio, Civil Engineer
(831) 755-4937, aliniocs@co.monterey.ca.us
April 22, 2009

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Redevelopment Agency; Pajaro/Sunny Mesa Community Services District; Carol Allen; File PD090397.

Attachments: Attachment 1 Planning Commission Resolution
Attachment 2 Location Map/Legal Descriptions
Attachment 3 Vicinity Map

ATTACHMENT 1

PLANNING COMMISSION COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. _____
FINDINGS AND DECISION

In the matter of the application of the Railroad Avenue abandonment:

WHEREAS, the Planning Commission of the County of Monterey has been asked to consider whether the abandonment of portions of the Railroad Avenue right-of-way is consistent with the North Monterey County Area Plan, a part of the Monterey County General Plan, subject to reservation of easements for existing utilities;

WHEREAS, a goal of the Monterey County General Plan is to promote a safe, effective, and economical transportation system that will service the existing and future land uses of the County (Goal 37);

WHEREAS, the North Monterey County Area Plan includes policies that address the use of roads within the community (39.2.7 (NC)), and provide for measures to prevent unsafe disruptions to traffic flows (39.4.4 (NC));

WHEREAS, portions of Railroad Avenue were relocated and realigned to provide a safer, more effective road alignment;

WHEREAS, said unimproved portions of public right-of-way on Railroad Avenue are not required for future street and highway purposes;

WHEREAS, this abandonment is categorically exempt under CEQA Guidelines 15305 - minor alterations in land use limitations; and exempt under 15061 (b) (3).

DECISION

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the County of Monterey reports to the Board of Supervisors that the proposed abandonment as described in attached Exhibit B, is exempt under CEQA, and is consistent with the North Monterey County Area Plan, a part of the Monterey County General Plan.

PASSED AND ADOPTED on this 13th day of May 2009, by the following vote, to-wit:

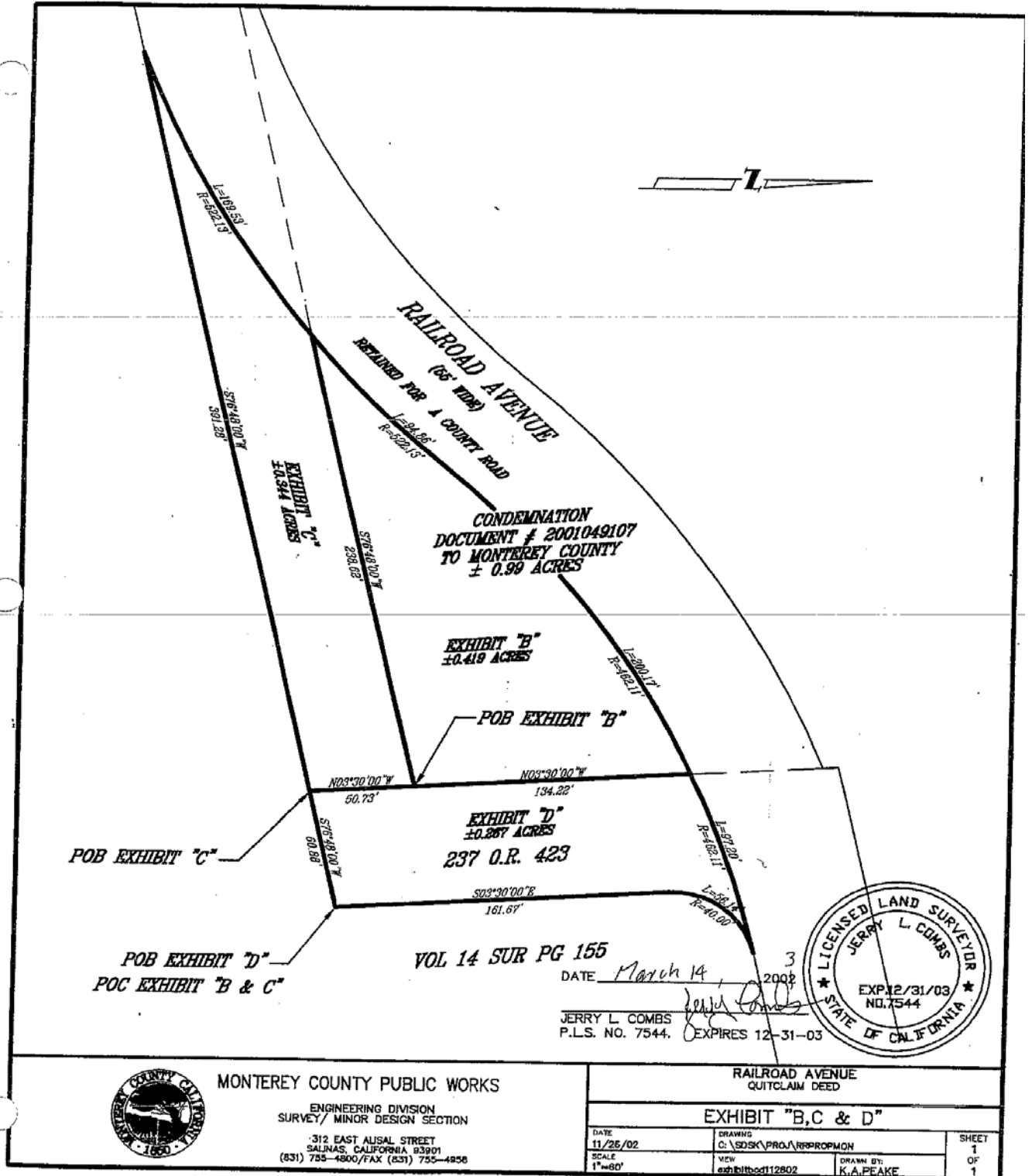
AYES:

NOES:

ABSENT:

SECRETARY OF THE PLANNING COMMISSION

ATTACHMENT 2 LOCATION MAP/LEGAL DESCRIPTION



MONTEREY COUNTY PUBLIC WORKS

ENGINEERING DIVISION
SURVEY/ MINOR DESIGN SECTION

312 EAST ALISAL STREET
SALINAS, CALIFORNIA 93901
(831) 755-4900/FAX (831) 755-4856

**RAILROAD AVENUE
QUITCLAIM DEED**

EXHIBIT "B,C & D"

DATE 11/26/02	DRAWING C:\SD\K\PROJ\RRPROP\MON	DRAWN BY: K.A. PEAKE	SHEET 1 OF 1
SCALE 1"=80'	VIEW exhibitd112802		

Road: A Portion of Railroad Avenue

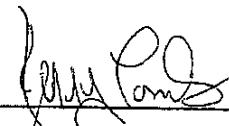
All that certain real property situated in the County of Monterey, State of California, described as follows:

Being a portion of Rancho Bolsa De San Cayetano as shown on that certain map entitle Pajaro Community Services District filed for record October 23, 1986 in Volume 14 of Surveys at Page 155, Records of Monterey County, being more particularly described as follows:

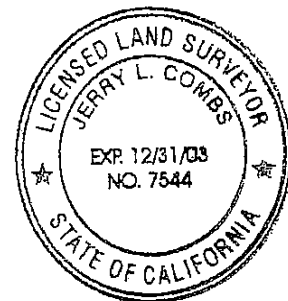
COMMENCING at the most southwesterly corner of that Parcel of Land described in a Partnership Grant Deed to Pajaro Community Services District, a public agency, recorded October 28, 1986 in reel 2017 of Official Records at page 324, Records of Monterey County, and shown as a "well lot" on Record of Survey recorded October 23, 1986 Volume 14 of Surveys at Page 155, Records of Monterey County, said point also being located on the southerly right-of-way line and easterly right-of-way line of Railroad Avenue (a 60 foot wide right-of-way); thence, along said (old) southerly right-of-way line S.76° 48' W., 60.88 feet to the POINT OF BEGINNING; thence along said (old) southerly right-of-way line,

1. S.76° 48' W., 391.28 feet; thence leaving said old southerly right-of-way line and curving along the new southerly right-of-way line of Railroad Avenue through a non tangent curve
2. Northeasterly on the arc of a circular curve to the left (the center of which bears N.21° 07'55"W., 522.13 feet distant) through a central angle of 18° 36' 11" for an arc distance of 169.53 feet to a point on the (old) northerly boundary line of Railroad Avenue; thence leaving said curve but not tangent to and alone said (old) northerly boundary line.
3. N.76° 48' E., 238.62 feet to the westerly right-of-way line of said (old) Railroad Avenue; thence
4. S. 3° 30' E., 50.73 feet to the POINT OF BEGINNING

Containing an area of 0.344 acres of land, more or less


Jerry L. Combs PLS 7544
Monterey County Public Works
Chief of Surveys

END OF DOCUMENT



Road: A Portion of Railroad Avenue

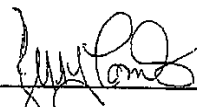
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BEGINNING at the most southwesterly corner of that Parcel of Land described in a Partnership Grant Deed to Pajaro Community Services District, a public agency, recorded October 28, 1986 in reel 2017 of Official Records at page 324, Records of Monterey County, and shown as a "well lot" on Record of Survey recorded October 23, 1986 Volume 14 of Surveys at Page 155, Records of Monterey County, said point also being located on the southerly right-of-way line and easterly right-of-way line of Railroad Avenue (a 60 foot wide right-of-way); thence, along said southerly right-of-way line

1. S.76° 48' W., 60.88 feet; thence leaving said southerly right-of-way line
2. N. 3° 30' W., 50.73 feet to the northerly and westerly right-of-way line of said Railroad Avenue, said point also being located on the easterly line of lands of Peter Vucovich; thence along the westerly right-of-way line of Railroad Avenue and the lands of Vucovich
3. N. 3° 30' W., 134.22 feet to the southerly and westerly right-of-way line of said Railroad Avenue; thence along the southerly right-of-way line of said Railroad Avenue through a non tangent curve
4. Easterly on the arc of a circular curve to the right (the center of which bears S.25° 19'34"E., 462.11 feet distant) through a central angle of 12° 03' 05" for an arc distance of 97.20 feet to a point on a switchback curve and the boundary line of said well lot; thence curving but not tangent to and alone said well lot boundary
5. Southwesterly on a curve to the left (the center of which bears S. 13° 05' 00" E., 40 feet distant) through a central angle of 80° 25' 00" for an arc distance of 56.14 feet; thence leaving said curve tangentially and along the boundary line of said well lot
6. S. 3° 30' E., 161.67 feet to the POINT OF BEGINNING

Containing an area of 0.267 acres of land, more or less


Jerry L. Combs PLS 7544
Monterey County Public Works
Chief of Surveys

END OF DOCUMENT



ATTACHMENT 3 VICINITY MAP

