



## City of Sacramento City Council

915 I Street, Sacramento, CA, 95814  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Meeting Date:** 1/29/2013

**Report Type:** Public Hearing

**Title:** Vacation of the Public Alley Bounded by 20th, 21st, C and B Streets North of Blues Alley

**Report ID:** 2013-00042

**Location:** District 4

**Recommendation:** Conduct a public hearing and upon conclusion, pass a Resolution vacating a portion of the public alley located north of C Street between 20th and 21st Streets.

**Contact:** Thomas Adams, Engineering Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**Presenter:** Thomas Adams

**Department:** Public Works Department

**Division:** Development Engineering

**Dept ID:** 15001151

**Attachments:**

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- 1- Description/Analysis
- 2 - Background Information
- 3 - Location Map
- 4 - Resolution
- 5 - Exhibit A - Legal Description
- 6 - Exhibit B - Exhibit Plat Map of Area to be Vacated

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**City Attorney Review**

Approved as to Form  
Paul Gale  
1/22/2013 2:51:48 PM

**City Treasurer Review**

Reviewed for Impact on Cash and Debt  
Russell Fehr  
1/3/2013 10:18:15 AM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way 1/16/2013; 4:41:50 p.m.

## Description/Analysis

**Issue:** Several of the adjacent property owners requested the vacation of the public alley located north of C Street, between 20<sup>th</sup> and 21<sup>st</sup> Streets and south of B Street. This portion of alley has been used for homeless camps, illegal dumping, and as an area for human waste by transients. The subject area to be vacated will be secured by a common fence line between the adjacent property owners restricting all public access.

**Policy Considerations:** The Council action recommended in this report is consistent with the 2030 General Plan, and is in compliance with California Streets and Highways Code Sections 8310-8325.

### Environmental Considerations:

**California Environmental Quality Act (CEQA):** Status is exempt under Sections 15305 in which this project consists of the minor alteration of land use which does not result in any changes to land use or density.

**Sustainability Considerations:** None

**Committee/Commission Action:** None

**Rationale for Recommendation:** The subject alley will be needed for the future development of the vacant adjacent parcels. Staff, along with various agencies, supports this vacation.

**Financial Considerations:** The applicant is responsible for all fees required to process this application and there is no cost to the City.

**Emerging Small Business Development (ESBD):** None

## Background

The adjacent property owners of the subject alley south of B Street bounded by 20<sup>th</sup> and 21<sup>st</sup> and C Street have requested the vacation of the alley. The request to vacate is a proactive measure by the property owners to help provide a safer and cleaner environment for their community. Their request was initiated with the growing concern of transients frequenting the alley and leaving debris and human waste throughout the alley. In addition, homeless camps were set up in the alley which initiated calls to the police department. City street crews have had to frequent the alley to clean up the junk and debris left behind by the occupants utilizing the alley as a place of refuge.

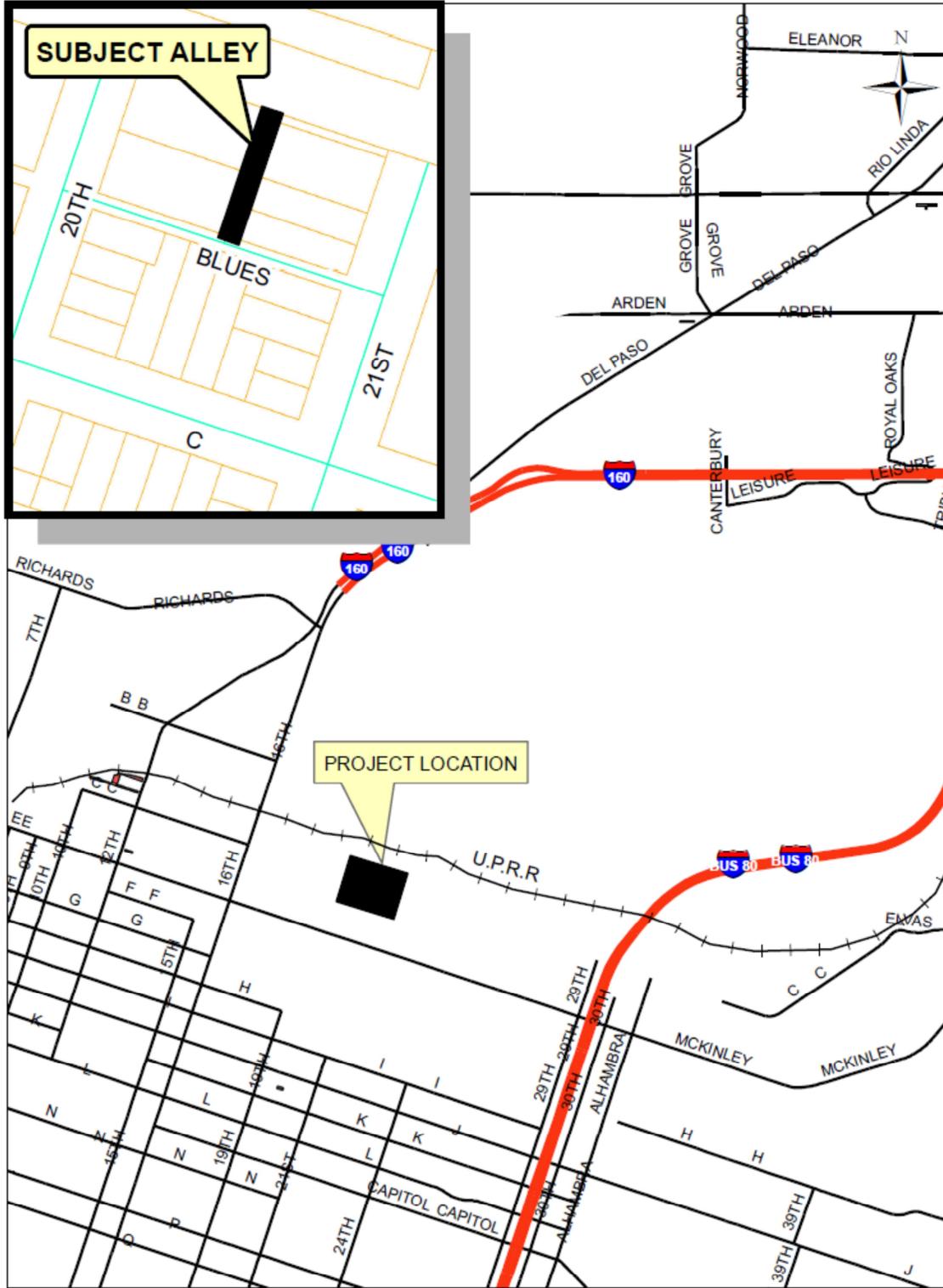
The subject alley is currently unimproved with no direct street access from 20<sup>th</sup> or 21<sup>st</sup> Streets. It is only accessible to the public from the east to west portion of Blues alley and is fenced off at the levy to the north along the Union Pacific Railroad line. Three residential lots along with two commercial lots lie adjacent to the alley. This portion of the alley is shown as a 20 foot wide public right of way on the "Map of Boulevard Park", as recorded in the office of the Sacramento County recorder in Book 6 of Maps, at Page 29 of Official Records. There are no existing or proposed utilities planned for this portion of the alley.

Vacating this alley will give the property owners the right to move their rear fence to the center line of alley which will result in restricting all public access to the subject area. This area will become part of the property owners rear yard which they will be responsible to maintain. This will reduce the accessibility for transients and the opportunity to leave junk and debris in public and private areas within this area of the neighborhood.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highway Code(S&HC) Sections 8310-8325. The applicant requesting the vacation of this subject alley has submitted all documents required by the City of Sacramento's Department of Public Works to process this request.

Various City departments and utility companies have reviewed this request and support the proposed vacation. The City Clerk has published the Notice of Hearing of the proposed vacation, and the Notice of Hearing has been posted at the subject site as required by law pursuant to Streets and Highways Code Sections 8222 and 8223 respectively.

Map Location for Alley Abandonment





## **RESOLUTION NO.**

**Adopted by the Sacramento City Council**

### **VACATION OF THE PUBLIC ALLEY BOUNDED BY 20<sup>TH</sup>, 21<sup>ST</sup>, “C” AND “B” STREETS NORTH OF BLUES ALLEY WITHIN COUNCIL DISTRICT 4 VACATION PROCEEDING NO. VAC 12-0008**

#### **BACKGROUND**

- A. The property owners adjacent to the subject alley bounded by 20<sup>th</sup>, 21<sup>st</sup> “C” and “B” Streets, have requested the vacation of the alley to prevent illegal dumping, homeless camps and illegal activity.
- B. The City of Sacramento’s Planning Director reviewed this vacation application pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the 2030 General Plan.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The alley bounded by 20<sup>th</sup>, 21<sup>st</sup>, “C” and “B” Streets north of Blues alley within Council District 4, more specifically described in Exhibits A and B of this Resolution is unnecessary for present or prospective public use and is ordered vacated.
- Section 2. The vacation of the portion of the alley within Council District 4, more specifically described in Exhibits A and B, is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Section 8310-8325.
- Section 3. The City Council finds that said vacation has been submitted to and reported on by the City of Sacramento’s Planning Director and finds that the vacation is consistent with the 2030 General Plan.
- Section 4. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal; to be recorded after fees have been satisfied. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder.
- Section 5. Exhibits A and B are incorporated into and made part of this resolution.

**Table of Contents:**

Exhibit A: Legal Description

Exhibit B: Exhibit Plat/Map of Area to be Vacated

**EXHIBIT A**  
**ALLEY ABANDONMENT**  
**LEGAL DESCRIPTION**

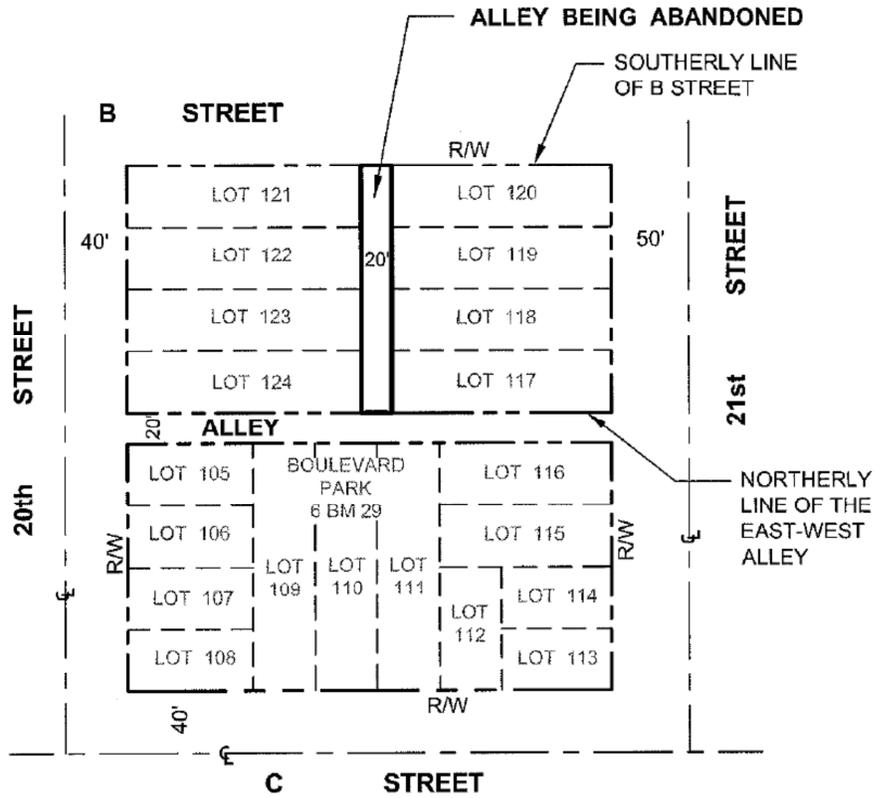
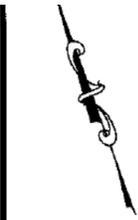
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ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE 20 FOOT WIDE NORTH-SOUTH ALLEY, THE NORTHERLY TERMINUS BEING AT THE SOUTHERLY RIGHT OF WAY LINE OF "B" STREET AND THE SOUTHERLY TERMINUS BEING AT THE NORTHERLY LINE OF THE EAST-WEST ALLEY, LOCATED IN THE BLOCK BOUNDED BY "B" STREET, "C" STREET, 20<sup>TH</sup> STREET AND 21<sup>ST</sup> STREET, AS SHOWN ON THAT "MAP OF BOULEVARD PARK", RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 6 OF MAPS, AT PAGE 29, OFFICIAL RECORDS.



12-19-12



<b>EXHIBIT B</b> <b>ALLEY ABANDONMENT</b> <b>THE NORTH-SOUTH ALLEY IN THE BLOCK BOUNDED BY</b> <b>B, C, 20th AND 21st STREETS</b>		SCALE: 1"=100'
		DATE: 12/19/2012
CITY OF SACRAMENTO	CALIFORNIA	PAGE 1 OF 1