

**RESOLUTION NO. XXX**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLLISTER DETERMINING THAT STREET VACATION AND DISPOSAL OF WELLER ALLEY ARE IN CONFORMANCE WITH THE CITY OF HOLLISTER 2040 GENERAL PLAN AND THAT STREET VACATION AND DISPOSAL DO NOT FALL WITHIN THE DEFINITION OF A “PROJECT” UNDER CEQA GUIDELINES SECTION 15378.**

**WHEREAS**, Streets and Highways Code, Division 9, Part 3, Chapter 4 authorizes local agencies to summarily vacate a street or highway in different circumstances, each an independent basis to affect a summary vacation of an easement; and

**WHEREAS**, Streets and Highways Code section 8331 provides that the legislative body of a local agency may summarily vacate a street or highway if, for a period of five (5) consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance of the street or highway during such period; and

**WHEREAS**, Streets and Highways Code section 8334, subdivision (a) provides that the legislative body of a local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes; and

**WHEREAS**, the owner of Assessor’s Parcel Numbers (“APN”) 054-190-008 and 054-190-002 has requested vacation and disposal of the approximate ten (10) foot by eighty (80) foot portion of the historic Weller Alley that abuts APNs 054-190-008 and 054-190-002 (the “Property”); and

**WHEREAS**, the City of Hollister (“City”) is the sole owner of the Property; and

**WHEREAS**, pursuant to Government Code section 65402, the City Planning Commission must render a determination as to whether a proposed street vacation and disposal are in conformance with the City’s General Plan; and

**WHEREAS**, after the Planning Commission has made its determination, it must provide a report containing its determination to the City Council. The City Council then must consider and take action upon the Planning Commission’s report within forty (40) days; and

**WHEREAS**, the Property is not one of the five (5) major street types identified in the Circulation Element of the General Plan, is not illustrated on the circulation diagram, and vacation and disposal of the Property will not impede the City’s ability to meet its General Plan goals and policies.; and

**WHEREAS**, the City Planning Commission considered this vacation and disposal at a regular meeting on April 26, 2025; and

**WHEREAS**, the Planning Commission has independently reviewed and considered the proposed street vacation and disposal and considered all comments, written and oral, received from persons who reviewed or otherwise commented on the vacation and disposal; and

**WHEREAS**, the Planning Commission's determination regarding the vacation and disposal would not result in a direct physical change or reasonably foreseeable indirect change to the environment, nor is the Planning Commission issuing a lease, permit, license, certificate, or other entitlement for use or making a recommendation about any such issuance.

**NOW, THEREFORE IT IS RESOLVED:**

1. This determination by the Planning Commission regarding the vacation and disposal of the Property does not fall within the definition of a "project" under California Environmental Quality Act ("CEQA") Guidelines section 15378.
2. Vacation and disposal of the Property is in conformance with the City 2040 General Plan.
3. The City Planning Commission is hereby directed to convey a report of this determination to the City Council of the City of Hollister.

**PASSED, APPROVED AND ADOPTED** this 26th day of April 2025, at a Regular Meeting of the Planning Commission of the City of Hollister by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**APPROVED:**

\_\_\_\_\_  
Chairperson of the Planning Commission of the  
City of Hollister

**ATTEST:**

\_\_\_\_\_  
Eva Kelly, Secretary