



# CITY OF ATASCADERO

## CITY COUNCIL STAFF REPORT

Item D3

**Department:** Public Works  
**Date:** 10/14/25  
**Placement:** Consent

**TO:** JAMES R. LEWIS, CITY MANAGER

**FROM:** NICK DE BAR, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

**PREPARED BY:** RYAN HAYES, DEPUTY DIRECTOR OF PUBLIC WORKS

**SUBJECT:** Declaration of Intent and Setting a Public Hearing to Vacate a Portion of Public Right-of-Way at 11285 San Marcos Road

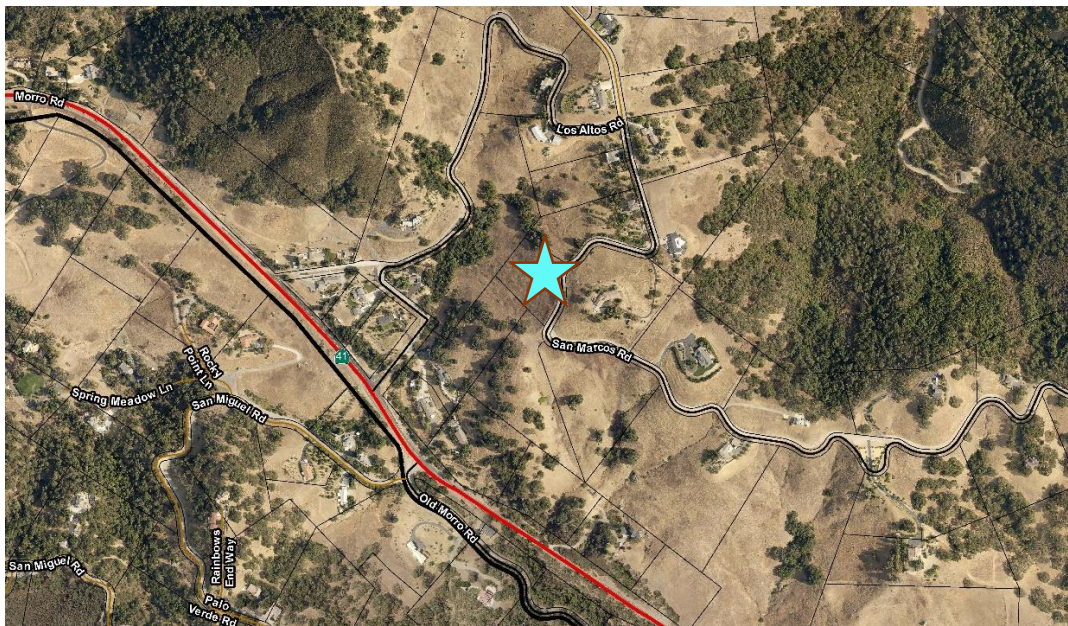
### RECOMMENDATION:

Council adopt Draft Resolution declaring its intention to order the vacation of a portion of San Marcos Road right-of-way and setting a public hearing on the proposed street vacation at the regularly scheduled City Council meeting on November 12, 2025.

### DISCUSSION:

#### BACKGROUND

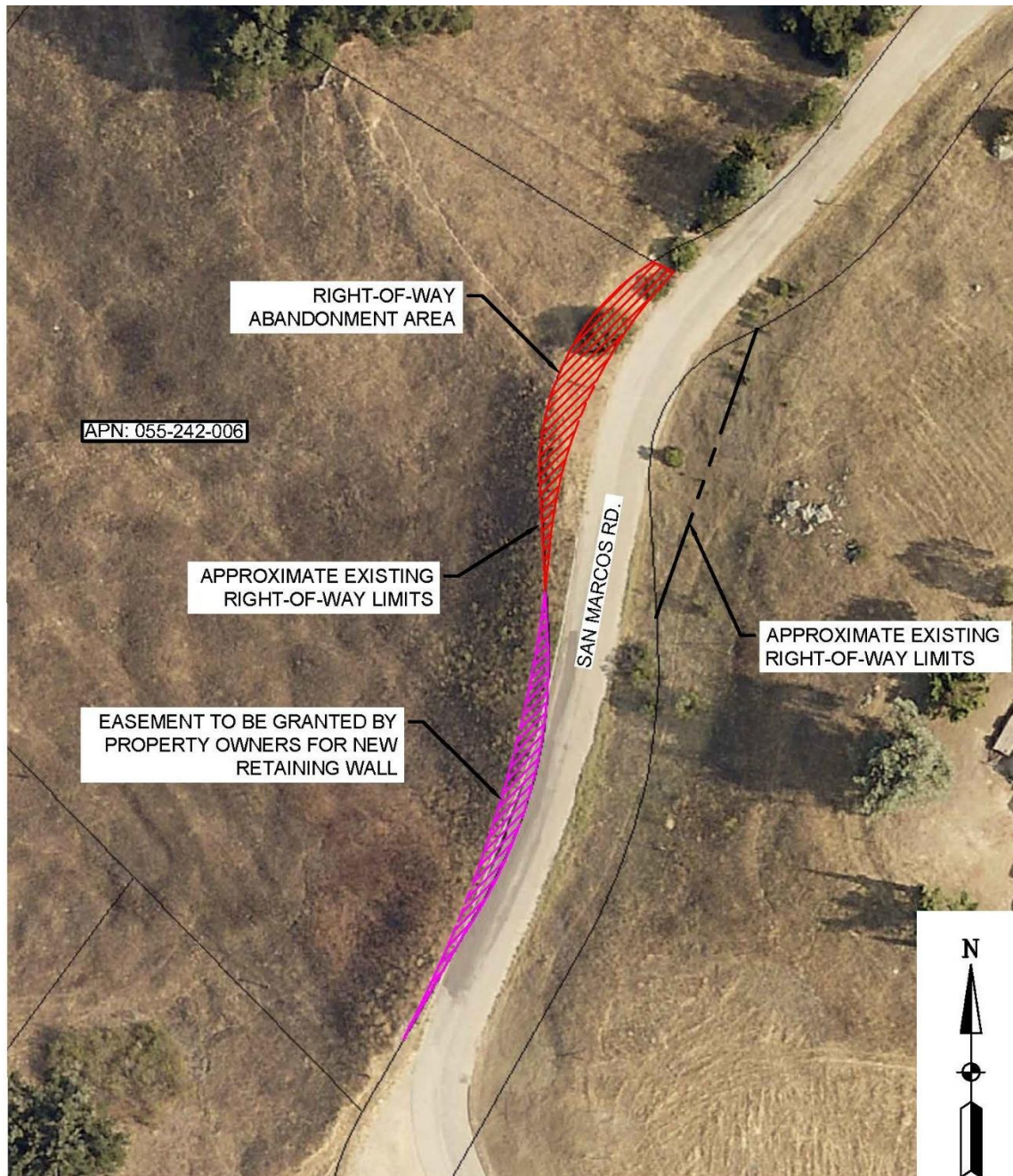
As a result of the January 2023 storms, a FHWA-funded soldier pile retaining wall and roadway reconstruction project was completed in late 2023. City staff have been in discussions with the owners of the adjacent 11285 San Marcos Road property to adjust the right-of-way to reflect the roadway alignment and allow for future access to and maintenance of the retaining wall. The right-of-way adjustment includes abandonment of approximately 1,265 square feet of existing unused right-of-way to the property owner, in exchange for dedication of an approximately 1,190 square foot permanent access easement. A vicinity map of this site is shown below.



**ANALYSIS**

Pursuant to the Streets and Highways Code Sections 8320 et sq., the City may initiate proceedings to vacate excess right-of-way through a resolution of the City Council declaring its intention to order to vacation of the right-of-way, establishment of a public hearing on the proposed street vacation, and a proper noticing of the public hearing.

Working with the owners of 11285 San Marcos Road, staff has identified a portion of right-of-way that will not restrict public access or future improvements if relinquished, and a portion of the private parcel over which a permanent easement will be established. These approximate areas are shown in the exhibit below.



The portion of San Marcos Road to be vacated would become part of the adjacent property of 11285 San Marcos Road. In exchange, the City would receive an easement from 11285 San Marcos Road that is needed to gain access to the downgradient side (opposite from street) of the soldier pile wall for inspection and maintenance purposes. This easement will also prevent any private grading or excavating work adjacent to the wall that could undermine the wall. There is sufficient right-of-way width at the proposed vacation, and no public utilities exist or need this excess right-of-way. Furthermore, the Fire Department has no objection to the right-of-way abandonment and does not consider this right-of-way to be necessary for current or future evacuation needs.

**ALTERNATIVES TO THE STAFF RECOMMENDATION:**

Council may decide not to vacate this portion of San Marcos Road right-of-way, but it is possible that the adjacent property owner may not grant the City the easement adjacent to the soldier pile wall. Staff does not recommend this alternative because the right-of-way considered for vacation is excess and not needed for existing roadway improvements and public utilities, and in doing so will allow the City to obtain the easement for inspecting and maintaining the soldier pile wall.

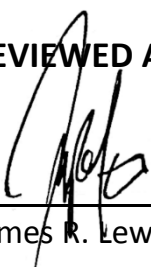
**FISCAL IMPACT:**

None

**REVIEWED BY OTHERS:**

This item has been reviewed by the City Attorney and City Clerk.

**REVIEWED AND APPROVED FOR COUNCIL AGENDA**



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James R. Lewis, City Manager

**ATTACHMENT:**

1. Draft Resolution