



CITY OF ANGELS PLANNING COMMISSION

PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

DATE: August 13, 2026

TO: City of Angels Planning Commission

FROM: Amy Augustine, AICP – City Planner

RE: Resolution 26-10: Making a Finding of General Plan Conformity pursuant to Government Code Section 65402(a) to abandon a portion of the alley between Mark Twain Elementary School and 784 Stanislaus Avenue (APN 060-004-032, Rose Subdivision Lot 7, Swapna) and 786 Stanislaus Avenue (APN 060-004-028 and 060-004-032, Rose Subdivision Lots 8 and 9, McFall) and retain a sewerline easement

RECOMMENDATIONS

Staff recommends that the Planning Commission hold a public hearing and adopt Resolution 26-10 making a finding of General Plan Conformity pursuant to Government Code Section 65402(a) to abandon that portion of the alley between Mark Twain Elementary School and 784 Stanislaus Avenue (APN 060-004-032, Rose Subdivision Lot 7, Swapna) and 786 Stanislaus Avenue (APN 060-004-028 and 060-004-032, Rose Subdivision Lots 8 and 9, McFall) – **Figures 1 and 2.**

BACKGROUND

California Government Code 65402(a) requires the Planning Agency (Planning Commission) to determine that no street shall be vacated or abandoned until the location, purpose, and extent of such street vacation or abandonment has been submitted to and reported upon by the Planning Agency as to conformity with the general plan or part thereof and report its findings to the City Council.

The Rose Subdivision was created on June 4, 1897 as recorded in Map Book No. 1, Page 65, Calaveras County. In conjunction with its formation, the recorded map states: “all streets, roads and alleyways shown on the map and laid out on land owned by Warren Rose are set aside for public use” thereby establishing ownership by the City of Angels.

The alleyway originally bordered Rose Subdivision lots 1 through 9 to the north of Badger Court and Rose Subdivision Lots 1-9 to the south. Over the years, the City has vacated portions of the alleyway north of Badger Court and transferred ownership to Mark Twain Elementary School.

Lot 7 (APN 060-004-032) borders the alleyway to the south of Badger Court. A home was installed/constructed over the alleyway. Assessor records indicate the construction occurred in 1957.



Home of the Jumping Frog • Angelscamp.gov

Mayor Caroline Shirato • Vice Mayor Michael Chimento • Council Members Scott Behiel, Alvin Broglio, Kara Scott
City Administrator Michael Hodson • City Attorney William Creger, White Brenner, LLP

Rose Subdivision South Alleyway-1

The previous owner of the parcel applied to the City in 2021 requesting vacation of the alley behind her house to ensure that the home would be fully on Lot 7. Based on a site visit, it was determined the apartment complex on Lots 8 and 9 to the south of Lot 7 also encroaches into the alleyway. Therefore, staff is recommending vacation of that section of the alleyway also.

Staff notified the owners of all lots bordering the alley south of Badger Court to assess if additional vacations were warranted. The owner of Lots 5 and 6 informed the City that the alleyway currently serves their lot as a driveway to the back of their parcel. To maintain the “status quo,” the City is proceeding with abandoning only the alley bordering Lots 7, 8 and 9 and transferring ownership to the landowners adjoining those lots.

City staff have confirmed with police and fire that the alleyway no longer serves an emergency response purpose. City Engineering has asked that the City retain an easement across the alley for the City’s existing sewer line.

FINDINGS/ANALYSIS

Finding of General Plan Conformity

Before the City Council may vacate the roadway, the Planning Commission must first consider and determine whether the vacation conforms to the General Plan and forward that determination to the City Council. Applicable General Plan goals, policies and programs are:

- Goal 3.A Provide an integrated road system that is safe, efficient, maintains the rural character of Angels Camp and meets the current and projected community needs.

- Policy 3.B.4 Adopt and facilitate construction of routes serving *low-impact modes of transportation* throughout the city that link together commercial, residential, school, recreational, public, and similar high-use land uses.

- Program 3.B.j Consider the Use of Abandoned or Vacated Easements as Low-Impact Transportation Routes When considering requests to abandon or vacate easements, the city shall consider the potential for the easement to be incorporated into the city's low- impact modes of transportation plan. If the route is consistent with the goals of the city's low-impact modes of transportation plan, then dedication of the route to the city or other public entity for a low-impact modes of transportation route should be considered as a condition of abandonment.

The subject alley segments are not contained in any short or long-range plans for circulation, transportation, recreational or for other City purposes in any adopted City, County, or Regional Plan. Therefore, the proposed vacation can be found consistent with the general plan.

Policy 2.A.1 Promote development of residential infill parcels for extremely low, very low, low and moderate-income housing.

Program 2.A.b Continue to Encourage the Establishment of Small, Affordable Housing Units Distributed Throughout the City/Map Infill Parcels

Continue to encourage the provision of smaller (e.g., duplex, triplex) multi-family infill projects in appropriately zoned districts through programs including, but not limited to:

- *City Waive application fees for lot mergers undertaken in conjunction with the provision of affordable housing pursuant to this program*

The proposed project will allow a lot merger with the adjoining alley making two legal nonconforming uses, both involving workforce housing, to move closer towards legal conforming uses (i.e., structures will be entirely on their own parcels without encroaching onto adjoining parcels). Therefore, the project may be found consistent with the general plan.

Program 7.C.i Continue to Implement the Citywide Weed Abatement Program

Continue to implement the citywide weed abatement program in order to reduce fuel loads and fire hazards.

The alleyway does not always receive weed treatment. Ownership by the adjacent parcel owner will encourage weed maintenance thereby reducing fire hazard and safety consistent with the general plan.

A sewer line occupies the alleyway. A condition of project approval requires that the City retain a sewer easement prior to filing the appropriate instrument transferring the property to the adjacent owners.

It is Staff's determination based on the preceding that the goals, policies and programs of the General Plan are not compromised by the vacation, will not negatively impact the intent of the General Plan, will not interfere with any current or future circulation plans and will, in fact, further the goals, policies and programs contained in the City of Angels General Plan Circulation Element. Therefore, the proposed vacation can be found in conformity with the City of Angels General Plan.

ENVIRONMENTAL ANALYSIS

The proposed transfer of public land to the adjoining parcel owners is exempt from the State Guidelines for the implementation of the California Environmental Quality Act Section 15061(b)(3), the common sense rule. Specifically, no identified biological or cultural resources are found on the site, the proposed action will not interfere with current or future circulation plans, and no foreseeable physical changes to the environment, other than improved maintenance of the site by the landowners (a potential positive impact), will occur.

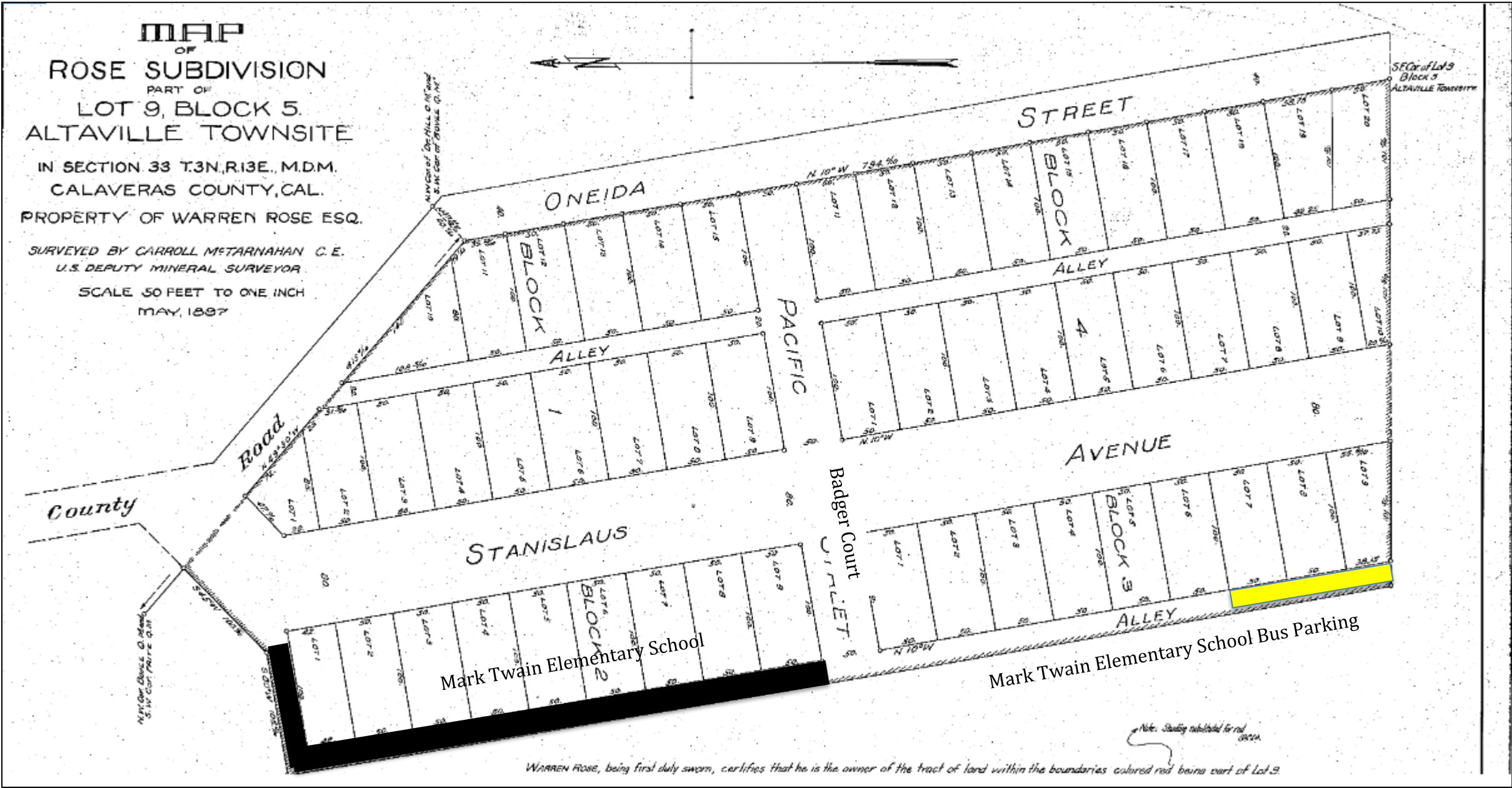
FISCAL IMPACT

No fiscal impact to the City is anticipated.

ATTACHMENTS

Resolution 26-10 with Attachment A Conditions and Map

Figure 1: Alley Segments to be vacated  Alley segment previously vacated 





Rose Subdivision South Alleyway-5

**CITY OF ANGELS
PLANNING COMMISSION**

Resolution No. 26-10

**RESOLUTION PASSED AND ADOPTED BY
THE CITY OF ANGELS PLANNING COMMISSION
MAKING A FINDING OF GENERAL PLAN CONFORMITY (GOVERNMENT CODE SECTION
65402) TO ABANDON AN ALLEYWAY AS A ROADWAY FOR A PORTION OF THE ALLEY
LOCATED ADJACENT TO THE MARK TWAIN ELEMENTARY SCHOOL OFF STANISLAUS
AVENUE AND RETAINING A SEWERLINE EASEMENT**

WHEREAS, the City of Angels Planning Commission considered all input at a public hearing held August 13, 2026; and

WHEREAS, the City of Angels Planning Commission finds that vacating the subject easement is consistent with the goals, policies and programs of the City of Angels General Plan including improving workforce housing, and reducing fire hazard without interfering with short- or long-range transportation plans; and

WHEREAS, the City of Angels Planning Commission therefore finds that the vacation is consistent with the City of Angels general Plan; and

WHEREAS, the vacation is exempt from further review pursuant to Section 15061(b)(3) of the state guidelines for the implementation of the California Environmental Quality Act;

NOW THEREFORE BE IT RESOLVED, that the City of Angels Planning Commission, makes a Finding of General Plan Conformity pursuant to Government Code Section 65402(a) to abandon a portion of the alley between Mark Twain Elementary School and 784 Stanislaus Avenue (APN 060-004-032, Rose Subdivision Lot 7, Swapna) and 786 Stanislaus Avenue (APN 060-004-028 and 060-004-032, Rose Subdivision Lots 8 and 9, McFall) and retain a sewerline easement, based on the following findings and subject to the conditions provided in Attachment A to this resolution;

- A Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission in the exercise of its independent judgment finds that the General Plan Conformity determination is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- B. The Planning Commission hereby finds that the proposed vacation as discussed in the Staff Report is in conformity with the City of Angels General Plan. This finding shall be reported to the City Council.

The foregoing resolution was introduced and moved for adoption August 13, 2026, by _____ and duly seconded by Commissioner _____.

PASSED AND ADOPTED THIS 13^h day of August, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

John Broeder, Chairman

ATTEST:

Caytlyn Schaner, Deputy City Clerk
City of Angels

Attachment A RESOLUTION 26-10

1. Each landowner will execute the necessary documents, including a certificate of acceptance, as prescribed by the City Surveyor to transfer the property from the City of Angels to each landowner.
2. Each property owner will dedicate a sewer line easement to the City above the existing sewerline as prescribed by the City Engineer.

