



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared By: Remon Habib, City Engineer

Date: November 8, 2022

Subject: Vacation of a Portion of Nichols Road within the Nichols Ranch Residential Development

Recommendation

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING VACATION OF A PORTION OF NICHOLS ROAD AND AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED

Background

On Parcel Map 37465 (Recorded Instrument No. 2019-0396737), right-of-way (designated as Roadway Easement Parcel "A" and Roadway Easement Parcel "B" on the map) is dedicated to public use for street purposes. The dedication was offered due to the existing roadway being built outside the ultimate road right-of-way. Meritage Homes of California, Inc. (Meritage) has filed an application requesting the City to vacate this portion of Nichols Road as the roadway easements traverse through Meritage's project site. The vacation of the roadway easements will remove encumbrances from the title and allow Meritage to improve the property. Furthermore, the ultimate Nichols Road right-of-way has been dedicated for street and public utility purposes on Parcel Map 37465. Meritage will construct ultimate half-width improvements as part of residential tract development off-site improvements.

California Street and Highways Code Section 8330(a) provides that the legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation. Due to the realignment of Nichols Road, Staff has determined that the portion of Nichols Road is not part of the ultimate realignment and will not be required for street or highway purposes. City Council may therefore vacate that portion of Nichols Road.

Discussion:

Before City Council action, the Planning Commission must determine if the vacation conforms with the adopted General Plan (Government Code Section 65402). The General Plan does not designate the portion of Nichols Road under consideration as a roadway and is not within the ultimate right-of-way of Nichols Road. Staff is, therefore, of the opinion that the vacation of Nichols Road, as set forth herein, conforms with the current General Plan for the City of Lake Elsinore.

Vacation of a Portion of Nichols Road within the Nichols Ranch Residential Development
November 8, 2022

On October 18, 2022, the Planning Commission found that the vacation would conform with the City's General Plan.

Fiscal Impact:

Adopting the resolution and approving the quitclaim has no fiscal impact on the City.

Exhibits:

- A - City Council Resolution No. 2022-____
- B - Plat Map of Vacated Area