

RESOLUTION NO. PC-14-48

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE CITY OF COSTA MESA'S VACATION OF A PORTION OF UTILITY EASEMENT ON THE PROPERTY OF 2294 PACIFIC AVENUE IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN AND WILL SERVE THE PUBLIC INTEREST AND IS A PUBLIC BENEFIT.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2000 General Plan on January 22, 2002; and,

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire or lease real property nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto; and,

WHEREAS, the City of Costa Mesa proposes to vacate a portion of a City utility easement within the property limits of 2294 Pacific Avenue. The utility easement was originally dedicated by a reservation from the right-of-way of Banning Place.

WHEREAS, the portion of the utility easement being vacated has been found by the Engineering and Transportation Services Division not to be useful as a non-motorized transportation facility, and as such, the vacation serves the public interest and is a public benefit since the vacated utility easement is unnecessary for present or future public use; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the vacation is exempt from the provisions of the California Environmental Quality Act under section 15312 (Class 12), Surplus Government Property Sales, because the portion of the utility easement to be vacated is not located on a parcel of land in an area of statewide, regional, or area wide concern; and,

WHEREAS, the subject property is shown in Exhibit A (City Engineer's memo dated October 8, 2014); and,

WHEREAS, on October 27, 2014, the Costa Mesa Planning Commission review the proposed abandonment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the proposed vacation of the utility easement in conformance with the City of Costa Mesa 2000 General Plan and serves the public interest and is a public benefit.

PASSED AND ADOPTED this 27th day of October, 2014.



Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

